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Mrs. L. J. Carril

LD

3291 | COMMENCEMENT.

VOL. I., June 1893.

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THE

# Graduation Souvenir

Published in the interests of the Senior Classes.

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UNIVERSITY OF MICHIGAN.

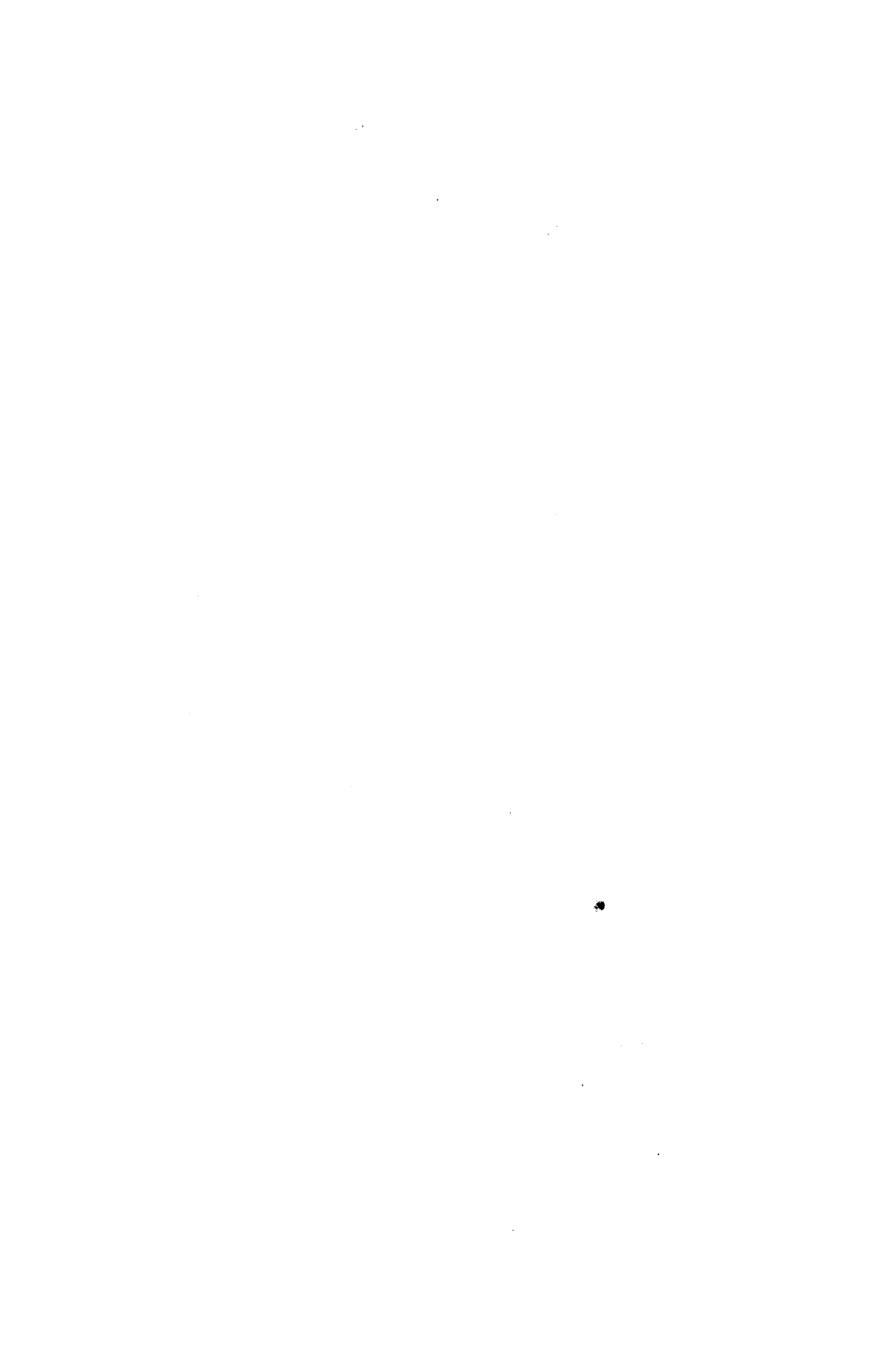
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49TH COMMENCEMENT.

VOL. I., JUNE, 1893.

—THE—

# GRADUATION SOUVENIR

—OF THE—

UNIVERSITY OF MICHIGAN.

PUBLISHED IN THE INTERESTS OF THE SENIOR CLASSES.

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ALEXANDER CUMMING,

EDITOR.

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ANN ARBOR, MICH. :  
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1893.

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NOTE:

It was announced that THE GRADUATION SOUVENIR would contain engravings of President Angell and Dean Knowlton. The editor contracted with Mr. E. F. Johnstone and advanced part of the money for the use of the half-tone engravings recently prepared and used by that gentleman in another publication. The cuts were lodged at the *Courier* office, and when the written order for them from Mr. Johnstone was presented to the manager, Mr. Travis, he refused to deliver them. Mr. Johnstone was then requested to procure them from the *Courier* office, but he refused to do so. It was then too late to have other plates made for use in this issue.

THE EDITOR.

# THE BACCALAUREATE DISCOURSE.

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## LESSONS FROM THE LIFE OF ST. PAUL.

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BY PRESIDENT ANGELL.

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Saint Paul was the scholar of the college of the apostles. He was doubtless inferior in mere scholastic learning to many of the contemporary Greeks. But among the Jewish students at Jerusalem he apparently enjoyed a pre-eminence, which destined him to high official position in the Jewish church. Perhaps we rarely think of him as a scholar, certainly not as a recluse buried in his books. If we think of him at all as a scholar, it is as the scholar in action, as the scholar who is transforming all his intellectual, as well as all his moral power, into vital force with which to lift men up to a purer and nobler life. Just because he was such a man, just because he resisted the temptation to seek that ecclesiastical preferment which his talent and learning entitled him to expect in the church of his fathers, just because, when he heard the command of God, he renounced all the brilliant prospects before him and gave himself to a life of the most intense activity in raising men to a higher moral and spiritual plane, just because of all this it is that his example is so inspiring and helpful to young scholars of all time, and especially to the scholars of our time. You, who are now about to leave us, are probably without exception looking forward to a life of action. You expect to touch men's souls and to help shape their lives. I do not doubt that you desire and hope to aid in lifting men to higher levels of purpose and endeavor. I have thought therefore that on this occasion we might well attempt to draw out from the character and career of St. Paul some lessons for the American scholar.

1. Let us notice the long and patient preparation which he made for his work. As a child he received at Tarsus, which was

distinguished for its Jewish School, the careful training common to the educated Jew of those days. He also, like other children of his race, became possessed of the knowledge of a useful handicraft. Many of our best educators have thought that we might well imitate the old Hebrew custom of imparting similar instruction to each child, and thus enable him to obtain a wider knowledge of men and to know what it means to earn one's bread by the sweat of one's brow. As Saul came to maturer years, he studied at Jerusalem under the renowned teacher Gamaliel. The training he there received answered to our professional preparation. He engaged in the study of the Hebrew law, in debate, in dialectics. He learned how to argue with directness and force. After his great spiritual experience, which he passed through on his way to Damascus, he was for three years lost to the public gaze. This time he probably devoted to thought and study. It is believed by some that he also went to Athens, and made himself familiar with Greek poetry and philosophy before he entered upon his active duties as a preacher of the gospel of Christ. Thirty years he thus spent, as his Lord and Master had done before him, in training for his great mission.

Here is an example worthy of imitation. Not that every one need wait or can wait until he is thirty years of age before entering upon his profession. But every one may be asked to appreciate the wisdom of thorough and solid preparation for important and responsible work. The question which so many are asking is not, how can I secure the very best preparation for my work, but how can I in the shortest time gain admission to my profession. Faculties are pressed with requests of students to be allowed to take short cuts to advanced standing, to be permitted to cram for an indefinite number of examinations, rather than to proceed at a pace at which assimilation and appropriation of learning produce genuine culture and strength. And many rush into the professions through the doors which are open in this country without having pursued even a tolerable course of study anywhere. The results are that many utterly fail, others, crushed beneath the weight of the work for which they are unprepared, break down in health, and still others come short of the conspicuous success which careful preparation for their work would have assured them.

2. Again, the student of St. Paul's career must be struck by the indomitable perseverance with which he overcame the difficulties he had to encounter. In reading the many and forcible words of the Apostle, I think we should naturally picture him to our imagination as a man of imposing presence, of robust health, and of commanding oratory. Yet we have good reason to believe that he had not an imposing presence. He says himself that his presence was "mean." In oratory he did not meet the Greek ideal. The Greeks required careful method and artistic finish in the speeches of their great orators. These Paul did not possess. He was "rude" in speech. Apollos, a man trained in Greek schools, was preferred by them. Paul also had some marked physical infirmity, which was in a certain degree a hindrance to his success. The fact that he was bred a Pharisee made it hard for him to get a willing and sympathetic hearing from the Gentiles. He might easily have pleaded, when he was called to preach to the Gentiles, that he was unfitted for that special work. But not a word of excuse dropped from his lips. With a brave but docile heart and with a heroic and fiery zeal he threw himself into the work to which God called him, and dashed through or over all the obstacles in his path. Though he might be deemed "rude" in speech, his burning words, that came straight from a heart on fire with the passion for truth, went straight to the hearts of hearers, as such words so spoken never fail to go. In the face of all trials and disappointments and dangers, onward he pushed straight towards his goal. Even in his later years, when physical infirmities may well have begun to tell upon him, the great Apostle, like an old ship with weakened hull that shakes and throbs with every beat of her engines, yet tirelessly crowds her way on through the stormiest seas and finally reaches her distant port, struggled on through the fiercest opposition and conquered all the obstacles that crowded his path.

Every man has difficulties to encounter. Each one of you will at times find a barrier straight across his path. You are not to sit down in despair in front of it. Summon the spirit of St. Paul and make a way over it or through it. If there is any man for whom we cannot cherish much respect, it is the one who goes through life whining and snivelling and explaining why he has failed of success.

Many men would succeed fairly if they spent in earnest effort half the time they waste in making excuses for lack of success. There is much truth in Franklin's saying, whether we apply it in college or outside of college, "A man good at framing excuses is good for nothing else." Keep the perseverance of St. Paul ever in mind. Every man with fair intelligence and with integrity and earnestness of character may command reasonable success. Paul's success was no exception to the general rule. It is not forgotten that when D'Israeli first rose to speak in Parliament he was laughed down, but as he took his seat he remarked, "You will live to hear from me yet." So John Quincy Adams, "the old man eloquent," wrote in his diary in the early part of his life that it would be utterly impossible for him to become a public speaker. Biography is crowded with encouragements to persistent effort. After God's will there is no such power on earth as the will of man. In a worthy cause, with a noble spirit and a firm faith, it can say to mountains of difficulty, "remove hence to yonder place, and they shall remove."

3. In the next place I would direct your attention to St. Paul's spirit of courtesy. It has been well said of him that he was the model of the perfect gentleman, using that word gentleman in its noblest sense. He had not simply a familiarity with the proprieties of social life,—a knowledge which is always of positive advantage, and which is sometimes not appreciated at its true value,—but he had the real spirit of courtesy, the sources of which are sympathy, friendliness of heart, a proper and legitimate regard for the good opinion of good men, a chivalric desire for the welfare of others. All these were combined in Paul. No matter where he was, whether in the company of the humblest classes or of great philosophers, whether before the tribunal of a Roman Governor or in the august presence of the Emperor, he always had the finest sense of decorum, the most delicate appreciation of his true relations to those whom he was to associate with or whom he was to address. If we were asked to select from all literature the discourses which exhibit the finest spirit of dignified courtesy, where could we find any more striking in that regard than St. Paul's address to Agrippa, or than the discourse on Mars Hill?

Although the Apostle was permeated with this lofty spirit of

courtesy, he did not lack for decided opinions. He had hot words with Peter and with Barnabas, but in spite of his differences with them he retained through life the friendship of both. Let us remember that rude bluntness and discourteous heat of temper are not elements of permanent power with men, but rather subtractions from it. A christian man has no business to be other than a gentleman. Some men, who desire to be considered strong and manly, seem to think that in politeness there is something akin to effeminacy and therefore they manifest a certain contempt for it. If by politeness we mean the mincing manners and affectations of those who devote their whole lives to the trivialities of fashionable society, this contempt is deserved. But if by politeness we mean, as we ought the courtesies which are born of proper regard for our fellows, then it is to be cherished as a grace of character and a valued help in life. It is one of the best fruits of high culture of mind and soul. It softens the asperities, which one must sometimes encounter in mingling with men. It smooths the pathway in which we must all occasionally find rough places. How many men there are who can not differ with you in opinion without losing their temper or suspecting your motives. Even if they happen to be sound in their opinions on the subject under discussion, they rob their arguments of half their force in the eyes of reasonable men by their unreasonable display of passion. To differ amiably with one of your friends on a subject in which you are deeply interested, is one of the best results of our Christian civilization. The man with genuine courtesy of spirit, though he may be somewhat uninstructed in the conventional rules of society, is strong in the moral support and good wishes of all about him and in time of need can count on the help of many outside of his own sect or party. The scholar may reckon a courteous temper as not the least valuable of his resources or the least becoming of his graces of character.

4. Another trait of St. Paul which challenges our admiration and imitation is what may be called the vigor of his spiritual ambition. It endowed him with a sort of continued youthfulness of energy. Some one has compared him in this respect with Alexander the Great, though the Macedonian conqueror died so young that the comparison is robbed of part of its force. Still with St. Paul as

with Alexander, each victory was a stepping stone to fresh victories. He never sat down content with what he had accomplished. He was ever pressing forward to some new achievement. His fiery soul was not abated by languor of soul. If the heavy burdens of disappointment ever weighed him down, or the strong hand of persecution overpowered him for a season, with a marvelous spiritual resiliency he rose again to his former levels of activity and power. In his irrepressible ardor his strength was ever renewed like the eagle's. Does history afford a more illustrious and stimulating example of energy which never flagged even to the very end of his days? Forgetting the things which were behind he was ever pressing forward towards the mark for the prize of the high calling of God in Christ Jesus.

What a rebuke it is to those who are constantly planning how to get exemption from the burdens and heat of the day, who are cherishing epicurean ideals of life, who are asking to be excused from doing their full part of the work of man in their day and generation. No one is more miserable than he who thus sneaks away from the battle of life, and like a coward or a shirk hides himself in the seclusion of idleness. No man has a right to be counted altogether out of the ranks so long as he can do some useful service. Better die in the harness, if die we must, than to cumber the earth in idleness. Never was the world calling more loudly for trained men in every vocation. Never were wider or richer harvests waiting for laborers to thrust in the sickle. But it is scholarly laborers, not learned dilettanti who are wanted. Do not enter upon new work with the purpose of withdrawing from the active service as soon as your accumulations will permit you to do so. But rather resolve to devote your lives, if not to the calling which now awaits you, still to some vigorous effort for the good of mankind. Your enjoyment of the privileges of a liberal education lays on you this duty and responsibility.

5. Again, St. Paul's obedience to the heavenly call which came to him on his way to Damascus made him a larger, nobler, more heroic man. Though he was by nature a man of high courage, his devotion to his Master made his courage sublime. It was this which enabled him to face so bravely all perils by land and all perils by

sea, persecutions by rulers and persecutions by mobs. It was this which inspired him when the axe of Nero's headsman was already flashing in the air above him to write in serene triumph, "I have fought a good fight; I have kept the faith; henceforth there is laid up for me the crown of righteousness which the Lord, the righteous Judge, shall give to me at that day."

It was this which sustained him in his loneliness and in the face of the opposition of his old friends. He was a man of strong social instincts, an ardent friend, a fascinating companion. Yet how many of his battles he had to fight comparatively alone. In how many he had to contend against the friends of his youth. What rebukes he must have had to bear from his old teachers and the high Jewish officials who had looked to him to become one of the conspicuous leaders in their church! To forfeit their friendship, to turn his back on all the high ecclesiastical honors to which he might justly aspire, to incur the fierce hostility of the men he was taught in his youth to honor, to cast in his lot with despised Gentiles and for the most part those of the humblest class, this indeed called for heroic qualities of mind and soul. But more than this. To bear the disappointment which often oppressed his soul as he saw the spiritual weakness and at times the utter dejection of those in whom he supposed the germs of spiritual life were planted, to see the sensual Christians turning the most sacred ordinances of the Master into occasions for gluttony, to find so few who could become his true companions by living on the same high plane of spiritual attainment which he had reached, these trials required perhaps a higher fortitude than was needed to confront persecution or even a martyr's death.

None of us, thank God, are called to such grave trials as tested the soul of St. Paul. But every life has its trials. The same spirit of devotion and faith which sustained him will sustain us in the great emergencies of life. It will fortify the humblest and most timid with fresh courage. It will reinforce us in our weakness with a measure of divine strength which will make us bear with resignation, if not with cheerfulness, the disappointments and sorrows that are appointed to us. When we are called to stand alone for what we deem the right even at the cost of severing some of the



dearest friendships, it will comfort us with the joy of heavenly companionship in our way. There is no other power comparable to this for the exaltation and glorifying of a human soul in all its earthly journey.

What a contrast there is between the narrow, bigoted, persecuting Saul of Tarsus and the great St. Paul, statesman, philosopher, poet, apostle. Where shall we look for a more statesmanlike exposition of the relations of citizen and magistrate than in the thirteenth chapter of the Epistle to the Romans? Where for a more philosophic statement of the doctrine of sin than in the earlier chapters of the same epistle? Where for a more beautiful poem on charity than that which constitutes the thirteenth chapter of the first letter to the Corinthians? Where has there been a teacher, after the One Great Teacher, who has been for centuries and who is to-day so moulding the opinions of men? Gamaliel, his renowned instructor, is scarcely known except from the fact that St. Paul once sat at his feet. The teachings of Paul were a great force even before his death all the way from the burning sands of Arabia to the Pillars of Hercules. And how they have since been carried on written or on printed page and on eloquent tongues of thousands of apostles to the Gentiles over trackless seas and mountain ranges to the very ends of the earth. And everywhere and in all the ages they have been the power of God unto the salvation of men. Such has been and such will continue to be the immeasurable force of this great soul which was so aflame with love to his Master.

It is difficult to set limits to the influence of the gifted mind which is devoted to the discovery, exposition and illustration of moral truth in the spirit of faith in the Author of truth. It is he who must win the great victories in the world of spiritual thought. Truth reveals her most precious secrets to the heart, whose gates open Godward. It has not been the doubters who have won the chief triumphs in the domain of moral and spiritual truth, or who have set the world forward with their great achievements. It has been rather, from the oldest days to the present, the men who believe something that have done something. It has been to loving, trusting souls that God has specially made known his ways. It has been to the leadership of these same souls, made positive and dar-

ing and aggressive by their unconquerable faith, that the world has yielded itself and so has found its way to loftier heights of attainment.

The same spiritual helps which were vouchsafed to St. Paul are promised to every one of you, who is ready to receive them in childlike trust in the Father. None of us has his natural endowments, and so none of us can hope to be a St. Paul. But every one of us can have his mind illuminated, his heart enlarged, his strength reinforced, his life exalted and glorified by welcoming, as he welcomed, the divine aid, and by obeying, as he obeyed, the great commands to love the Lord with all the heart and to love his neighbor as himself. There is the true philosophy and the true art of life.

I know there are those who maintain that we have outgrown the age of St. Paul and have at our command in modern discoveries better helps than his for the making of character and the development of mind and the conduct of life. But when we mark the spiritual forces that made a band of illiterate fishermen the teachers of the world, that indued those brief pamphlets which we call the gospels with such a power as no other human productions possess, that changed the dissolute student Augustine into the great St. Augustine at whose feet the first thinkers of the last fifteen centuries have been proud to sit, that transformed the profane tinker, John Bunyan, into the inspired dreamer to whose vision the heavens were opened, that lifted the humble monk, Martin Luther, to the leadership of the Reformation, that has exalted so many of the humblest disciples to the high station of martyrs and heroes and guides of the race, we must conclude that these forces cannot be despised or disregarded with impunity in any place or in any age. The divine aids by which God enabled Saul of Tarsus to grow into the Apostle Paul, no one of us can afford to spurn. Let us strive to follow him in so far as he followed the Master and to attain, if possible, unto the stature of perfect manhood in Christ Jesús.

After you leave these halls, persevere in study so that the torch kindled each day may light you on to further attainments. Cultivate the spirit of courtesy that the wishes of ten thousand friends may ever be wafting you on your course. Cherish your highest vigor and elasticity of mind and of soul so that your life may yield

its largest and richest fruitage even to the end. Above all keep your heart open to the heavenly influences, the gales of inspiration, which God delights to send to the docile and childlike spirits of his household.

So you may at last come serenely to the end of your days, whether those days be many or few. As the stars at twilight break out one by one on the face of the heavens, so one by one the significant stars will appear upon the pages of the General Catalogue against your names, telling that your work here is done. God grant that we all may so live that, when the closing days of our career are at hand, we may each be able to say in the words of the Great Apostle, "I have fought a good fight. I have kept the faith. Henceforth there is laid up for me the crown of righteousness which the Lord, the righteous Judge, shall give to me at that day; and not only to me, but to all them that have loved his appearing."

# GLASS DAY EXERCISES.

DEPARTMENT OF LAW.



## PRESIDENT'S ADDRESS.

BY ALBERT W. JEFFERIS.

*Ladies and Gentlemen* :—In the year 1741, an English youth of some eighteen summers decided upon the Law as his profession. Pursuits more pleasant to him were reluctantly abandoned. His attempt at verse pictures his early outlook as anything but inviting. We hear him saying :

“Shakespeare, no more thy sylvan son,  
Nor all the art of Addison,  
Pope's heaven-strung lyre, nor Waller's ease,  
Nor Milton's mighty self must please ;  
Instead of these a formal band  
In furs and coifs around me stand,  
With sounds uncouth and accents dry,  
That grate the soul of harmony.  
Each pedant sage unlocks his store  
Of mystic, dark, discordant lore ;  
And points with tottering hand the ways  
That lead me to the thorny maze.”

Genius had crowned that English youth as her own. Law, the jealous mistress of the land, became his first and only love. For thirty years, with mighty ardor and concentrated effort, he pursued the study of his chosen profession ; fathomed its profound depths ; mastered its intricate subtilities. The jealous mistress was conquered,—the student crowned victor. Though a century has elapsed since his day and time, yet the people of the old and new world, recognizing the responsibilities of our social organization, have for his memory, love and admiration. The profession of the law delights in paying tribute to his greatness, while we as students and members of the Class of '93 of this renowned university, honor, revere, and shall forever cherish the name and works of the eminent

lawyer, the renowned jurist, the immortal commentator, Sir William Blackstone.

During the brief period that we have associated together as students, a feeling of good fellowship has sprung up among us. Similar hopes and aspirations led us to select this university, that we might acquire the rudiments of the profession of which the learned commentator was master. We have advanced and profited during the time that the fiduciary relation of instructor and student has existed. But "the day that breaks the tie that binds" is at hand; hence it is but fitting and proper on this occasion, the beginning of a new era in our lives, that we as lawyers renew our allegiance to the fundamental principles of law and justice; gather increased inspiration from the life and teachings of the law's greatest expounder.

What we have gained here in knowledge, in discipline, in honesty of purpose, can only be appreciated by us when, on the morrow, we take our stand in legal combat with some experienced practitioner as our adversary.

Truly we may rejoice and be ever grateful that our advantages for acquiring a legal education have been the best in the land.

Our discipline and instruction have been in the care and guidance of men who have diligently and conscientiously tried to impress upon us not only the fundamental principles of the law but those of integrity and true manhood as well. Their admonitions have been our shield and protection from mistakes and follies. They have informed us of the duties and trials of the profession, have impressed upon us the responsibilities to devolve upon us as members of the bar, and on this occasion they extend their heartiest congratulations, hoping that we may live long and prosper. Thus the day of our graduation is in one sense a day of liberty and freedom, and consequently one of joy and gladness; yet it brings with it sorrow for the parting, mingled hopes and fears which years of toil alone can solve. Certainly no one of our number can depart from the scene of our college days without carrying with him fond memories for his class, for it matters not where we have been tried, whether on the athletic field, in the contest of oratory or debate, in general ability or the steadfastness of purpose, our standing has been un-

questioned. Our active interest in the affairs of college life will only be surpassed by our subsequent participation in the doings of the world.

Emerson has truly said, "Every soul is a celestial venus to every other soul." True it is that in this University no one liveth to himself alone. While the first object of our coming here was for the purpose of gaining a knowledge of the law, yet we have been afforded a privilege of still greater import. By our association and contact with the student body of this university we have acquired a knowledge of men and affairs. From such associations our characters have received a polish, moulding and refinement. We are the better for having studied and associated together, and should forever be thankful that we are members of the great cosmopolitan body known and recognized throughout this university as the strong, progressive, Class of '93. Every section of this great nation, as well as leading foreign powers, have representatives among our number. The different ideas and customs which exchanged formal greetings when first we met as strangers, have intermingled and interwoven. A common interest bound together our differences. To-day, as a class, we possess an individuality somewhat peculiar, but lasting and trustworthy. We have acted as a class with dignity and decorum, shrinking from nothing deemed right and proper, always giving a fair hearing and courting a most rigid examination. Having learned to contend for that which we deemed right in our embryo days, it is safe to say that we as lawyers will triumphantly champion that policy which holds the true purpose of civil government to be not merely the prevention of wrong, but the establishment of right. Let our aim be not merely to punish offenders, but to confer blessings upon society by seeing that justice is meted out to man as deserved.

However, our associations have brought us not only more friends, not only a more impressive interest in the welfare of society, but it has broadened and deepened within us the spirit of true Americanism. For two years we have been delegates to this great convention. We have established our platform of action; formulated a code of principles which are to accompany us from this common source, the fountain of legal lore, to the



respective districts which we represent, there to be sanctioned and upheld only as their living exponent demonstrates their worth and power by his individual activity. The lawyer has been, is, and always will be, a potent force in the affairs of state and society. The variety of his work is equalled only by the promptness and unity of its execution. Now, fellow classmates, when the duties of the lawyer are about to devolve upon us, standing as we do at the ever open gateway of an auspicious future to which the twentieth century bids us welcome, it is well for us to repeat, while the mantle of justice falls upon our shoulders, the words of welcome for the coming strife, as did Sir William Blackstone at the commencement of his career :

“Then welcome clients, welcome strife,  
Welcome the cares, the thorns of life,  
The visage wan, the poor blind sight,  
The toil by day, the lamp by night,  
The tedious forms, the solemn prate,  
The pert dispute, the dull debate,  
The drowsy bench, the babbling hall,  
For thee, fair JUSTICE, welcome all.”

## HISTORY OF THE LAW CLASS OF 'NINETY-THREE.

BY CHAS. K. FRIEDMAN.

[Charles Knox Friedman, of Toledo, Ohio, graduated from the Toledo High School in 1890, and in 1891 from the Scott Manual Training School. He is pursuing both Law and Literary work at the U. of M., taking this year the degree of L. L. B.]

*Motto: Scientia tenebras lampade discuit.*  
*Colors: Pink and Green.*



Learning and institutions are not the property of any one generation. The thought and experience of all preceding ages are ours to-day, but to enjoy, to protect and to strengthen, and, when our part in life is played, to transmit to posterity. We can but add our modest layer to that ever-ascending pyramid which, unlike the great piles of the Egyptians, must remain incomplete until man shall be perfect. Upon the use it has made of this inheritance rests the success or failure, the glory or shame of any age. So must the honor of a class as such, stand or fall in accordance as it has used or misused the opportunities to which it has succeeded.

To pass judgment upon the Law Class of '93 is not the duty of its historian, but rather to present, as it were, an abridged panorama of our life as a class; to picture a glance at the events in which we have figured, at the qualities we have displayed, and by which shall be determined the decision of those who are to judge us. Would that time allowed the mention of each individual member as we have grown to know him. But our history is more than a mere portrayal of individuals or recital of incidents. It has to do with nobler, more enduring material in that subjective change, which,

like the march of Progress, though sweeping and infinite, is yet unheard and unseen.

By earnest and untiring endeavors '93 has carved a record of unbroken advancement. Like every class, we have had our ludicrous side, have made mistakes and sowed some pretty large patches of wild oats, but in the great over-towering balance in favor of moments well used and ennobling qualities acquired and developed, these errors, if such they be, are blotted out.

It was in the afternoon of Oct. 1, 1891, that Professor Thompson, by his now famous "Attention" called us to the realization of our class existence. Those who were fortunate enough on that eventful day to have a room for the night, had used the forenoon to timidly and guardedly pry about the Law Building, to find out "how the Seniors did it." How unconcernedly those giants of learning carried their heads on their shoulders! As we viewed that grave and august body through the crack in the swinging doors, who could but be overcome with awe and reverence! We were as impressed as were the barbarians of old when for the first time they gazed upon the Roman Senate and saw in it—an assembly of kings! Nor did we realize more than did those barbarians that we were soon to supplant that awe-inspiring body, and by eradicating what was baleful and promoting what was best, we were to reach a plane which even they might do well to emulate.

Our first year was the one of farewell to that venerable old building, consecrated by the lives of nearly five thousand alumni; our Senior year was that of welcome to the splendid and magnificent structure, more nearly emblematic of the noble dignity it represents. Yet did the effacing arm of Change spare that sacred temple, the lecture room. Her human instruments could not make more precious those venerated walls.

'93 has ever been permeated and governed by a spirit of true, broad Americanism. There is yet a vast amount of prejudice and bigotry in the world, blocking the way of truth and delaying the reign of peace. Who is it can say he is entirely free from their bonds? The Law Class of '93 may well find a source of pride in the fact that no manifestation of these almost omnipresent creators of discord have ever been displayed in its ranks, much less swayed

its deliberations or moved its judgments. We have, too, from the very nature of our work been instilled with a fruitful spirit of equity and justice. Nor has the display of these qualities been confined within the class. Not soon will there die from the college memory that famous manifesto declaring our intention to maintain for the entire student body the inviolability of private contract. By column after column in the *Daily*, President Griffin had announced with the absolutism of a Louis XIV., "I am the Students' Lecture Association!" But—we were not "asleep on our rights." Nor did we rest our efforts until every student held his rights restored and secured.

The political maneuvering of our class stands forth with especial prominence. Had Lord Eldon been as good a prophet as he was jurist, he would never have said: "A lawyer hardly can be both learned in his profession and accomplished in political science." What an evolution since the days of the Great Chancellor! Of things, to-day too common to be observed, he never dreamed. We hardly note, much less marvel, at the unfaltering, unerring certainty with which our politicians never leave the quiz-room without having earned a "ten;" never take their finger from a button-hole until they have gained a vote. This proficiency is the fruit of a development nourished by practice. During our several interesting campaigns it would have puzzled the uninitiated to have guessed whether we were in training for political wire-pulling or legal gymnastics. At both class elections the most aggressive man for the Presidency was the candidate of a strong, inter-state combination. The second was put forward by an opposing quasi-combination, and the last was an independent whose hopes rested on the success of the first two in destroying each other. The marshalling and campaigning of the Junior year was in the endeavors to form a winning combination. Michigan and Trans-Mississippi, the two strongest bodies, were infusible. Ohio and Indiana united and held the key to the situation. They saw fit to unlock the treasures to the Cowboys, and in one short hour McCaughey, of California, for President, and the entire slate of the Triple Alliance was elected. A more earnest and interesting campaign at our Senior election, commensurate with our

advancement in ideals and practice, was confidently expected by many. They were not disappointed. It was a battle of giants. The rumblings of that memorable conflict were heard even ere we had closed the Junior year. Even our importance as Seniors was forgotten amidst the engrossing combat. For nearly two months, whatever could be accomplished by the appeals of ardent friends, by the oratory and argument of zealous supporters and by the scheming and labors of patient leaders was not left undone. The flashing of eloquence and stubborn contest of ballots lasted for five stormy meetings. It required eleven ballots to make Jefferis, President, and fourteen to make Johnson, Valdictorian. Every office was as ardently contested.

Besides the offices prescribed by our Constitution, the class has conferred one other by a sort of common law usage. Owing to its peculiarly exalted station, the office has never been named. The holder of this nameless, unnamable office was the most widely celebrated of our illustrious class. None other was so universally favored, so frequently sought for, so tumultuously hailed and applauded. He was called upon to settle any and all questions, and may fitly have been titled, "Class Oracle." Yet, too, from the manner in which he was generally called on he may as appropriately have been given the title of "Class Scapegoat." The duties of the office involved such unique obligations, requiring such unusual and peculiar personal gifts, that few could reach it, and none by the ballot. To four only has there fallen the lot of being dignified by this exalted station. The robe of honor first fell upon the Spartan shoulders of the hero, Turnipseed. Soon, however, the glory was transferred amid long and lusty enthusiasm to Ruck, Senator Pepper's only rival. At the close of the Junior year "Montana Jim" was playing this part with great success. During the Senior year these duties were fulfilled by one born for the task. For the past nine months the crown and scepter of this unrivaled throne have been retained uninterrupted and undisputed in the royal possession of the high and mighty Harms.

As a class we are grateful for having been blessed as have only eight classes of our department, by being legally "seized" of two deeply respected sisters-in-law. To their calming and refining influence

is largely due our record of exceptional deportment. And in this regard our parting sympathy is with those about to take our place. No doubt the stormy, boisterous character of the '94's is attributable among other things to the lack in their composition of what Milton has so fitly termed :

“—fairest of creation. Last and best  
Of all God's works!”

The annual celebration of Washington's birthday, the gala day of the Law Department, lost none of its vigor and enthusiasm at our hands. How vivid still that memorable march, splashing through six inches of slush and snow ; horns tooting, banners and colors waving, the joining of voices in one grand triumphant shout of welcome to the then Ex-President and present President of our Nation. Then the endeavor of the Senior Lits. to rob us of our post of honor, and the indignant, sweeping rush with which we helped them to the rear ! How we again cowed the Lits. a year later, when, envious of our position in the body of the hall, they showered upon us a fusilade of beans, rubbers and the ponies, with which they are so invariably armed. A squad of sturdy '93's was quickly dispatched to the gallery. In the twinkling of an eye that mob of incipient anarchists, awed, quieted and subdued, were meek as co-eds.

Once at least we saved the Lits. from internal strife. It was when the Freshmen and Sophmores tried to enrage their class tigers by engaging in an effeminate warfare about a large geological specimen that adorned the campus. After they had struggled every night for a week without either side gaining the mastery, a valiant body of '93's took the field, overpowered both forces, captured the stone of contention, wheeled it to the law building, where it was carefully and reverently buried.

We have been the athletes of the University. On the 'Varsity teams we have furnished an exceptional number of men. By an unbroken series of victories we have demonstrated our right to the possession of the Championship Banner.

On the whole, Providence has piloted us through a safe and successful class journey. Yet we have one dark and mournful day to record. It was that on which Death took from our ranks

our beloved comrade and fellow-student, Lee Tucker. Gloomy, indeed, are the sad memories of that day, abated, however, by the cheering, hopeful truth :

“There is no death—the thing that we call death  
Is but another, sadder name for life.”

But by far the most precious and commendable advancement of the Law Class of '93 has been the fruit of a conscientious and incessant search for knowledge. Emerson says he is great “who inhabits a higher sphere of thought into which men rise with labor and difficulty,” and that the historian of '93 does not draw comparisons and apply conclusions, is merely because he heeds the advice of the wise man who said, “Let another man praise thee and not thine own mouth.” Nowhere on the campus as on its north-west corner did the divine Minerva find such sincere disciples, nowhere did the searchers for wisdom climb to more commanding heights. The room of every student of law has a window toward the rising sun, that the first gray streaks of dawn may fall upon the open book from which he eagerly quaffs the deep, enriching draughts of ancient lore; nor is his lamp extinguished until by the light of the self-same rays that have welcomed the new-born day he has mastered the last citation in the last lecture.

When we enlisted on the campaign just closed, we mustered 324 men and opened with a vigorous and victorious march through the jungles of Blackstone. At the opening of the Senior year we found that 58 of our gallant band were either missing, captured by the Federal offices, or declared disqualified by Commander-in-Chief Knowlton. But the ranks were filled by raw recruits, Volunteer Senioresses, and we successfully stormed the strongholds of Federal Jurisprudence, Criminal and Constitutional Law 319 strong. We are gathered together from thirty states and territories, and five foreign countries. We represent fourteen nationalities.

Meeting each day as a class; united by common aims and like hopes; laboring shoulder to shoulder with stoic fortitude; mastering link by link the noblest of professions,—“The golden chain that binds the universe to the throne of God,” we have gradually become bound together by a sentiment deep and imperishable. Call it “class feeling” if you will; at first a thin confused nebula it has been moulded

and hardened into permanency and harmony until now, no matter how far or in what direction we may be from this central force, our beloved Alma Mater, we shall feel in it an undying relation which will bind us by an eternal bond.

In the language of the venerable Lord of the Library, "It's time to close." Yet, it is not for me to say that the history of the Law Class of '93 is finished. It is but begun. May its course in the future, as in the past, ever accelerating, lie through successive spheres each outshining the last in worth and splendor. Let us forward, ever forward, glorying, not in the fact that we never stumble but that when we fall, it is forward, and that we rise from every fall.



## THE SIGNIFICANCE OF BROTHERHOOD.

BY JAMES W. GOOD.

[J. W. Good, orator of the senior law class, is a native of Iowa. Born September 24th, 1866, he served the farmer's boy allotted time upon his father's farm, and in the fall of '88 entered the freshman class of the Iowa Agricultural College. Later in the same year Mr. Good entered Coe college at Cedar Rapids, where he graduated with the class of '92 with the degree of B. S. While a student at Coe, Mr. Good was the recipient of several college honors. He was for two years business manager of the Coe College Cosmos, which paper he aided in establishing. He was Coe's representative in the Iowa Oratorical contest, when a sophomore, and again when a senior, the later attempt being rewarded with second honors. Mr. Good has recently been chosen as financial agent for Coe college for the summer, but will commence the practice of the law in the fall. He is a member of the Presbyterian church and a Republican in politics.]



The brotherhood of man is no longer a speculative theory, but a fact, the result of a divine decree.

The record of the struggle from the savage to the citizen is the record of emancipation from the sway of individualism. In actions dictated solely by one's own self is seen the brutal side of human nature. In actions dictated by sympathy is manifest the spiritual element of man.

The standing miracle of human nature is goodness. What causes it? What are its possibilities? On these questions rests the ultimate philosophy of society. It is agreed that goodness is a kind of conduct, that conduct rests on motives, and that motives are supplied by feelings. In the sphere of feelings, then, must be sought the answer to this great moral problem. In this sphere the deepest thinkers detect a duality in man's moral nature. To Plato the human soul was a charioteer driving two winged steeds, one striving heavenward, the other tending earthward. St. Paul found in human nature the opposition of the carnal man to the spiritual man. Mediaeval theology saw in the human soul the old Adam and

the New Birth. All these dualisms modern social thinkers sum up in the antithesis of egoism and altruism, selfness and otherness. But can we rest here? No; the case requires a deeper analysis. What is the basis of selfness? What is the basis of otherness? Can otherness be resolved into selfness? These questions still press upon the student of human nature.

In the lower forms of animal life complete individualism exists. The organism is untouched by any feeling outside of itself. It pursues its path from birth to death alone. From its own senses and their correlated feelings lies the secret of all its activity. It is a blind, isolated, inaccessible monad. Contrast with this the life of the highest human type. Here, conduct is emancipated from the sway of one's own self. No deed is done without reference to the feelings of others. One's life is, as it were, passed in public. The soul is as a focus, where meet and blend faint shades of a thousand experiences other than its own. Such is the deepest contrast disclosed in the moral life. One represents the carnal, the other, the spiritual; one egoism, the other altruism; one unbridled individualism, the other, Christian brotherhood. In no living man does either principle reign absolute. In every man there is the brutal; in every man there is also the social, the spiritual. No one is so saintly as never to show the taint of selfness; no one is so brutal as to hold his way untouched by the social medium in which he lives. Slowly through the centuries has humanity crept up the long and difficult gamut of the sensibilities. Behind it lies the mire of the animal appetites and passions, "nature red in tooth and claw." Before it lie the heights of altruism, of self denial, of social harmony of faith in the God whose name is love.

Otherness, outwardness, sympathy,—the presence in my own soul of the joy or anguish in other souls! What volumes of possibilities lie enwrapped in these. How the morning stars must have sung together when the faint, feeble voice of others' woes was first heard in the human heart amid the clamor of its own fierce lusts. Precious, aye, more precious than myrrh or frankincense are the spiritual filaments that bear to me my neighbor's delight or hurt. In motives arising from brotherhood is born righteousness, peace, civilization.

In community of feeling alone lies civilization. Not in political unity, not in industrial organization, not in community of thought, not in similarity of language,—not here lies that which makes society a real organism. No mere living together or working together or thinking together can make the civilized community. No; it is feeling together that makes society a real organism. Only when the whole is convulsed by the pain in one of its parts do we fully realize that society is one and organic. A score of Americans slain on a Cuban coast, and a great nation swept with pity and indignation; the lash-cut backs of slaves on a Mississippi plantation, and a million men in blue facing the cannon's mouth on bloody battle-fields; a dam burst in a Pennsylvania valley, and a multitude of great cities stricken by sorrow hastening to lay their gifts on the altar of pity; a woman whipped to death amid Siberian snows, and the heart of civilization palsied with horror. Are not these witnesses to the fact that the impulses, wants and woes of society, are as the impulses, wants, and woes of one man? The man who finds no feeling outside of what happens to himself is wrong. He who makes goodness less natural than selfishness is wrong. He who drags in brotherhood at the backdoor of human nature, who interprets the tender pity that sometimes thrills society, in terms of syllogism and association of ideas,—is wrong. This is the theory of the recluse and the metaphysician, of a man of the laboratory and the cell, but not of the practical man. The race is not to the cynic nor the epicurean. No man can write a great book, compose a great symphony, carry a great reform, or achieve a great measure of constructive statesmanship, unless he recognizes that the brotherhood of man is just as natural, just as real, just as fit to be appealed to as his selfishness.

To the individualist society is a collection of monads. Between souls lie unbridged chasms. Men are isolated islands between which flows the salt, unfathomed, estranging sea. Sensibilities are bounded by self. Lives do not mingle, for there is no medium of feeling. By the joy or pain meted out to each man shall we judge his lot, whether it be happy, or sad. How simple, how plausible this theory, but let us bring it to the test of facts. Tell me, O individualist, who must have been earth's most unfortunate ones? Shall we not say a St. Francis of Assisi, a John Eliot, a David Livingston, a General

Gordon? And now tell me, O Muse of history, tell me, who were earth's happiest ones? Were they not a St. Francis of Assisi, a Joán Eliot, a David Livingston, a General Gordon? Aye, have not all those noble lives which have blossomed along the pathway of the centuries received that broader vision, that inspiration caught of the skies, only through self-denial, moral courage, deeds of brotherly love? Let us learn then, that there is no spiritual isolation. For the jelly-fish perhaps, but not for breathing men and women. Hard and mechanical as seems the relation of individuals in our jurisprudence, or business ethics, a closer view shows society shot through and through by filaments of love, of sympathy, of kindness, of pity, of brotherly affection. By them sensibility is extended beyond the periphery of self. By them the joy or hurt of one is propagated throughout the family, the community, the nation. By them the oppression of a single laboringman is able to goad a hundred thousand of his fellows into desperate industrial warfare. By them the hurt of child wrings the hearts of mothers. By them the agony of a stricken Garfield plunges the hearts of three hundred millions in sorrow.

Thus individuals are fused into a great social organism, vital in every part, sensitive in every part. Souls overleap the barriers of self and lovingly commingle. Life becomes broad, and complex, and public. Experience becomes rich, and full, and varied. A hundred hurts of loved ones cover us with shadows. A hundred joys of friends bathe us in sunbeams. Life, incorruptible life, gushes up from a thousand springs, and the days come to us not empty, but brimming over with the manifold wealth of existence.

The development of sympathy opens up endless vistas of improvement. For only in the upper realms of feeling can we hope for unchecked progress in the joy and beauty of human life. The lower and selfish pleasures cannot be multiplied forever. Material they are and depend upon soil, climate, crops, inventions. But to the higher joys that depend on fellowship, one can no more set limit than to the possibilities of the human spirit itself. As infinite as the God of love, so infinite is the happiness that may spring from reign of love in human intercourse. Look forth a moment on the life we live. Not from fire or flood, frost or drouth, pestilence or

famine, disease or death, flows the greater half of our misery, but from the lack of fellowship, from the want of brotherhood. In the millions of loveless homes, in the cheating and overreaching of business, in the greed and oppression of power, in the flaunting insolence of new won riches, in the feuds of parties and bitterness of sects, in the jangling of employer and employes, in the rasping of mistress and servant, in the trickeries of trade and the crimes of the calendar,—in all these we find witnesses to the imperfect social nature of man. Let men's capacity for feeling together equal their capacity for living, or working, or thinking together, and they will no longer be slaves to a passion that dwarfs the intellect, sears the heart, and draws humanity down to a level with the beasts of the field.

Every great teacher has striven to break the sway of the individualism. Above selfishness Buddha set contemplation, Zeno placed reason, Jesus enthroned love. Jesus alone probed the secret of life, for he alone showed how self could be curbed without making life narrower, scantier, feebler. Buddhism dried away the life of the individual. Stoicism seared it. Christianity taught it to brim over and mingle with other lives in universal sympathy and love.

The feeling for others is the touchstone of civilization. In the metropolis of the western world rules an idle and sordid society, void of ideals and sympathy, contemptuous of self-sacrifice and patriotism, cold to the tale of stunted children, toil-worn shop girls, and starving miners. This society arrogates to itself the highest place in American civilization. And noble Europeans tear off the mask from the glittering barbarism of plutocracy, and scoffingly ask, "Is this thy civilization, O, America?" Let the conscience of millions voice to the taunting question a thunderous No. Our highest are not those who live delicately in marble mansions and pleasure yachts, hastening "the impracticable hours" with wine, and dance, and soft raiment. If they ask after our most civilized Americans let us point them to a Garrison, a John Brown, a George Peabody, a Peter Cooper. Let us point them to the Christian minister, self-exiled from his intellectual peers to carry light and sweetness into the lives of mission Indians; to the chivalrous West Pointer, slain in an Arizona canon while rescuing the captives of an Apache raid: to the University woman leaving surroundings of culture and refinement

to found a guild for the poor; to the city physician risking death to give life and healing to the victims of fever-ridden slums; to the Howard nurse, yielding up her life to the yellow fever among the stricken people of the south—to such as these we point with pride. They are the noblest type we have brought forth. Unto them is the ark of our civilization committed. Of their fashioning will be the humanity of the twentieth century. Not on the aristocratic ideal of languid millionairessdom, but on the democratic ideal of the heroes of brotherhood,—on this alone can we base a civilization that shall leaven the millions rather than the few, a civilization that is not measured by self, but rather a civilization where selfishness has waved its last salute and brotherly love is king.

The brotherhood of man, then, is the basis upon which modern society is building the superstructure of higher civilization. This idea advanced by the lowly Nazarene, accepted by philosopher and sung by poet, sometimes almost overwhelmed in the dark mazes of ignorance, now bursts forth and lights up the nations of the earth. Slowly, but authoritatively the historian proclaims it triumphant in every land. Lowly, yet sweetly the poet chants its praise in every clime. Ever and anon society attests its worth. Science, literature, law,—all bear testimony that the greatest work ever accomplished by man, or the best results ever realized through the divinity of his genius, is not that which has done the most good for one man, but that which has done the most good for all men. Men of science: Was it alone for selfish glory that Darwin and Gray turned the microscope toward the earth, analyzed and explained all animal and vegetable life? Was it for selfish fame that Galileo and Kepler turned the telescope toward the heavens, discovered the planets and the laws that caused them to move in silent harmony to the music of the spheres? Men of letters: Was it a selfish desire that lured Victor Hugo to spend his nights in vigils, and his days in active toil? Was it the desire to become great called from Harriet Beecher Stowe, "Uncle Tom's Cabin," or from Hellen Hunt Jackson, "A Century of Dishonor?" No selfish motive ever prompted such as these to action. But rather their greatness was the result of their self-sacrifice, that they might give others more light, make others more free, fill the world with sweeter song.

Brothers in the legal fraternity: Is it the selfish desire to win fame and fortune at any price that we enter this, the noblest of professions? Already too long and at too great a cost have we suffered because of such motives on the part of the few. Each man a reputation for his profession makes. The odium sometimes cast upon the legal profession is the result of unprincipled lawyers, in council, at the bar and upon the bench. It is the result of an insatiable selfish desire on the part of the few. To obtain positions of public trust, party fealty binds them to defend every act of their allies, without regard to merit, and condemn every deed of their opponents, however grand. Selfish glory, not moral principle, love of self, not love of country, are the motives of the few that causes calumny to be thrown in the faces of the many. Wherever selfishness enters, whether into life, science, literature or law, it degrades and narrows it. It is the moral lesson of man's relation to man and to his God that gives to science its permanence, that elevates all literature above the lowest fairy tale, that engraves laws upon tablets of stone, and stamps legislative enactments upon statute books. Let, then, an awakening legal conscience stamp as enemies to society and traitors to the nation, the few, who would by selfish motives, degrade the legal profession, whether they be lawyers, arguing in a court of justice for principles they know are unjust, or public prosecutors, shifting their responsibility and leaving the public duty delegated to them unperformed, or judges upon the bench, who for political favor nullifies statute upon statute at their discussion. Stamp them thus and with one blow you break down the barriers of selfishness and enthrone that principle which permeates all, governs all, ennobles all. In thundering tones you proclaim that the brotherhood of man is the guiding star to human success, human happiness, human greatness. Then with the legal profession exalted, public confidence restored, honesty and conscientious convictions rewarded, the rights of fellow men conserved, history bettered, human law will truly be the golden link that binds man to man and all humanity to God.

## TO THE SENIOR LAW CLASS.

CHARLES EDWARD DEDRICK.

[Charles Edward Dedrick was born October 23d, 1870. His birthplace, Port Rowan, Ontario, is a picturesque village on the north shore of Lake Erie. His earliest poems were written at the age of ten. He has been a frequent contributor to Canadian Journals. He left the High School in 1877, entering Woodstock College, Ontario, for further literary education. In 1891 he came to the University of Michigan and entered the department of Law.]



There is no height ambition's soul desires,  
Though pinnacled in greatness be its goal,  
No place that glory's laurels bright inspires  
That is above true earnestness of soul.  
Genius is the sign-board to life's pathway,  
Mere circumstance can ne'er alone control;  
Genius, then, directing from the play,  
Follow with untiring steps her rôle

You may with many difficulties meet,  
The pathway to reward is ever upward,  
But he who is by purpose nobly stirred  
Will ever deem its roughest passes sweet.

What tho' the rifted mountain rises o'er you,  
And broken, rugged rocks are at your feet,  
Remember, smoother paths then lie before you,  
And nearer waits your goddess you to greet.

Dark may be the valleys at the starting,  
Wild and deep the rivers to cross o'er,  
Look beyond the present when embarking,  
The sun is shining on the other shore.  
Drear and lone the corridors of learning,  
Dark and dank as scarcely trod before.  
At the other end the lamp of fame is burning  
With lustre even brighter than of yore.

Many men have won their soul's ambition,  
And Admiration sang her sweetest praise,  
Purpose was their ladder to position—  
Attainment ne'er Advancement's cycles stays,



But upward lights the path to other ages,  
And shows the world's blind eyes yet brighter days;  
The future, not the past, holds fairest pages,  
Your names, my brothers, should those sheets emblaze.

The present is the greatest yet of ages,  
Fame's pinnacles are highest that we see,  
History's hand in honor writes the pages  
How Columbus broke the bondage of the sea.  
Behind us is the Past with wisdom hoary,  
Above the Stars and Stripes are floating free—  
Make the Future pulsate proudly with one story,  
The greatest class of all was '93.

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And now farewell.

As he who after many years returns  
To view the spot his careless boyhood knew,  
Seeing the ivy where the roses grew,  
Seeing the moulded walls, the tumbled urns;  
May thou return, and pluck one fragrant flower  
From recollection's ruin,  
Recalling unto thee our parting hour.

## LAW DEPARTMENT, CLASS OF '93.—PROPHECY.

A. K. HITCHCOCK.

[A. K. Hitchcock, born Nov. 12th, 1866, at Buffalo, N. Y., graduated at Potsdam Normal school at the age of nineteen, in the class of 1886. Was principal of the Hawesville school from 1886 to 1887. In 1887 he went to Arizona was vice principal of the Tucson Public Schools for two years. Then engaged as superintendent of the Florence Public Schools which he also retained for two years. At the end of this time he came East, entered the University of Michigan in 1891, graduated in 1893.]



The lifting of the veil which separates the future from the present, the unraveling of the skein which the Parcae have so carefully and deftly woven, is always a dangerous and terrible task. He who attempts it must possess a hidden power, the secret which was known only to the ancient and musty philosopher of Egypt must be his.

With a full knowledge of all the hidden mysteries and dangers surrounding him, your prophet started forth upon his fearful task. In his wanderings through the mystic, superambient air which surrounds this mundane sphere, he has touched upon secrets before unknown, in his interviews with the elves and goblins of other worlds, he has become acquainted with powers before undreamed of, lying latent in man's physical nature. The potent spells which propitiated the unseen beings through whom the future was revealed, must remain a secret. They were related only after long and startling seasons of prayer by the invisible creatures of the air and can only be imparted to his successor.

Briefly, however, your prophet has been obliged to spend long periods sweeping through the cold and dismal air, his only comrades the lank and spectral spooks, who haunt the grave-yards ghastly gloom with clank of chain, and groans and prayers. While the Laws

were resting sweetly, gently slumbering on beds of downy softness, we were wandering through the orange groves of California, traversing the alkali plains of Arizona, or perhaps holding secret sessions with some savage Calibare or dainty Ariel among the cotton fields of Georgia, or the rice fields of South Carolina. Thus was the future of the Class of '93 revealed, and from the materials received from these sources the web of this prophecy was spun.

The present is blended with the future and before me I see the future of the Class of '93 and of its individual members. Bear with me, my friends, and if at times the tale grows wearisome, remember that the prophet must write of events which will be, even as the historian writes of events which have been. Poetic fancy, flights of the imagination, and the like, must give away to a narrative of stern and unrelenting truth.

As I sat one evening on the tomb of Wiggins, the weather prophet, conversing with a musty old ghost, I asked him if he could give me any facts for the year 1910. "Certainly," he responded in a graveyard tone, coughin' a little, as he arranged his bones a little more comfortably and picked up a couple of ribs which the wind had just detached. "I don't know but I can." "Tell me about the boys of '93," said I. He laughed a sepulchral, tombstone laugh, fixed his ribs again, and spoke as follows: "The boys of '93. Ha! ha! many a time I have listened to their revelings and watched them as from day to day they flunked in Blackstone, or bolted Private Corporations. When the roll call came I hunched some of you and you were there, and responded 'present.' Yes, I see one now, come with me." I followed him at a rapid pace, and presently found myself in a small town in Ohio, before a church, which we entered. He pointed to the gallery, and there I beheld a familiar face. This face, benevolent and angelic in its sweet repose, brought back many pleasant memories.

There were whiskers, like the ones at which we jeered in '33,  
But longer, softer, silkier they seemed to me to be.

His eyes were closed in blissful sleep,

'Twas the object of my search.

Ah, yes. He was the same old Harms who used to sleep in church.

Then my friend, the ghost, took me back to our former scene.

I was about to inquire concerning some of the other boys when he turned pale, coughed a little, and vanished. This was the last I saw of him, but one night as I was returning home from a neighboring hamlet, I noticed a young goblin in front of me dancing along over the fields and fences. I stopped him and we walked together for some time, during which I gathered from him that A. G. no, "P. G." Turnipseed was planted in the vicinity of Ann Arbor, that the people were cultivating him, but at last accounts he had failed to come up.

He also informed me that in 1909 the world would be startled by the publishing of a book of travels. Upon examining it I was much surprised to find that our old friend Jefferis will find time between clients to turn author. The title, which will give you a clue to the whole work, is as follows: "My Trip Abroad. What I saw and, incidentally, what I didn't see." Considerable credit to be given incidentally to the Hon. Mark Sands, who, after smashing the bicycle record, or the bicycle, will spend a good deal of time endeavoring to invent a new kind of crank. He will succeed, but the only wheel it will turn is the one located in the upper part of his anatomical structure; and, hence, cannot become universally used.

I tried to make arrangements to meet this goblin later but he said that he was too busy, that he had a quiz in Pleading and Practice to prepare in order to post one of the Juniors. I told him to go to Federal.....

After this I picked up some general information in various ways. I met an Egyptian mummy traveling down in Tennessee, and he looked as homesick as a yellow dog a thousand miles from his dinner. Later, I saw a fossilized remnant of the class of '92. He had given up practicing law, and not being busy, gave up the ghost, purely from scientific motives. He said the Medical Fraternity in his town wanted to find out how small a man's brain could possibly be, and the man be able to complete the course. Any of the class of '92 would have answered, but he was the only one that volunteered. I asked them what they found. He answered "nothing."

Meeting also some seraphims and cherubims, I gleaned some valuable information from them, but without stopping to mention

the source, I will relate the remaining incidents as briefly as possible.

I took a trip down into the mountains of Tennessee last month, A. D. 1925, and after traveling over some of the hardest roads in America, I stopped in a little town in the edge of the mountains, and who should I see but our old friend Greer, sitting on a cracker barrel and whistling *Pere Hedrick* as natural as ever. He had on a pair of side hill pants, one leg shorter than the other for plowing on side hills, but was the picture of contentment and happiness. "Is it possible," I remarked. "Well, I should reckon it was possible," said Greer. Then he told me all about his family, he was married, had two boys, one 6 feet 6, and the other still growing.

After taking something for our cough, I left him and went on a little further, till I reached Knoxville. Looking up, I saw E. S. Cunningham's name in bold letters. I stepped into his office and found him hearty and fat, as usual, just about to take a little pill. It seems that he had just had his first case and he was too excited to talk much. I have heard since that his first client is booked for a necktie party the latter part of June, A. D., 1925.

Next I took a run into Ohio and found Baird there. No words of mine can express my feelings upon that occasion. Pardon me, then, if I use the words which the immortal Weller addressed to his son, Sam.

"Samivel, Samivel. I didn't think you'd ha' done it. Arter the warnin' you've had of your father's wicious propensities; arter all I've said to you upon this very subject; arter actiwally seein' and bein' in the company of your own mother-in-law, vich I should ha' thought vos a moral lesson as no man could never ha' forgotten to his dyin' day! I didn't think you'd ha' done it, Sammy, I didn't think you'd ha' done it."

"Nev'r mind, Sammy, it'll be a wery agonizin' trial to me at my time of life."

"Wot'll be a trial?" inquired Sam.

"To see you married, Sammy, and to see you a dilluded wictim and thinkin in your innocence that it's all very capital. It's a dreadful trial to a father's feelin's, that 'ere Sammy.

A. J. Falknor and P. M. Troy are out in Washington. Divorces

a specialty. Troy still insists that he is like Thomas Jefferson, but has nearly conquered that craving for spoils from which he suffered in his youth. Bordeaux was troubled in the same way, but he took a course at the Cleveland Gold Cure for office seekers, and is now a confirmed Mugwump. He still talks politics, but hasn't attended a Democratic banquet for years.

A. Dan. Rose, I grieve to say, has joined the silent majority. "What, is he dead?" "Oh, no. Married."

Albers, as a member of the Michigan Legislature, has distinguished himself as a champion of Woman's Rights. He heartily supports every appropriation for the Co-ed Annex.

But what has become of Friedman, handsome, dashing Friedman, the love of the co eds and the darling of society? He is located in a far western town, leads all the Germans, dances all the fancy dances, and is, in short, the Ward McAllister of his section.

You may notice as I progress that so far none have been found who will fill the Presidential chair. Now, I don't mean to exclude any of the class from so high an honor. A class coming from a department so intimately connected with the only other self-supporting institution in the state cannot fail to produce a few Presidents. Therefore, in general, I wish to state that members of the Class of '93 will be found in the Senate, House of Representatives, the legislatures and the state prisons.

In the state prisons, however, as a general rule, and you may note, simply to look after the health and the physical and moral welfare of unfortunates who are not self-supporting.

Let me now cast my prophetic eye upon the State of Washington, and see our old friend Noble. He is starting on a trip of some kind; as I remember his propensities of earlier years, I am not surprised to see that fishing rod, that old felt hat, and the other accoutrements for such an expedition. When I ask him what kind of fish he is after, I am surprised to hear him gasp "Clients." I expected him to say "Suckers," but he has evidently broken away from the influence of "Stub." Walters.

Spangler, too, is located upon the prairies of the west. Earnest, hard-working, patient man, the success which he deserved is his.

He has had his first client, but like the Bald-headed Son of Destiny he had to take his fee out in trade.

Walsh has branched out until now he is one of the most notorious authorities in America on law as she is found in Justice Courts. His text books have all the thrilling interest of Zola's novels, and make up in imagination what they lack in fact.

Servatius, the modest, quiet Servatius, has surpassed all previous records and now stands on the pinnacle of fame, crowned with the laurel wreaths of victory. His best time for a schooner of Anheuser is two seconds flat, by a stop watch and expert time-keepers. For further reference see 1 Barras, 66 ; 2 H. H. Reed, 367 ; also Roehrig on Pretzels, and R. Beal's Leading Cases on Beer.

Hegner, disappointed in his aspirations for political preferment, has turned farmer, that is, he edits an agricultural paper. His last article on "The New Process of Dehorning a Battering Ram" took like wild fire.

The memorial which the Class of '93 left at the University is at present reviewing the subjects taken nineteen years previous to taking his LL.B. degree, and at times I see him with his hands through his flowing locks,—alas ! which long have fled,—gazing with rapturous and attentive look upon his figure on a bust ; the first and last bust Andrew E. Gibson was ever on. Pace Requiescat.

The co-ed charmer, Brother Bickley, whom we all know so well on account of his activity in many directions, but more especially in the capacity of an embryo orator, will astonish everyone, except his classmates, by developing into a second Daniel Webster. This may take some time, and I confess that it is really a strain upon my prophetic vision to see so far into the future.

Spitzer, the erstwhile sporting editor of the U. of M. Daily and the Washtenaw Times, will, after repeated importunities on the part of Richard K. Fox, assume the position of Chief of Staff on the Police Gazette. His column will sparkle with its *ancient* brilliancy, and the Gazette bids fair to become a family paper in the near future. Thus, while journalism will gain a distinguished individual the bar will lose an honored member.

Keeler, too, will give up the practice of our noble profession,

and will engage in the sewing machine business. It is probably unnecessary to state that he will make a specialty of the "*Domestic*."

Were I to continue and delineate in detail the future of the remaining members of the class, ere I concluded the hour would have arrived when graveyards yawn and co-eds say goodnight to Lits.

And now, my friends, in closing let me make a prophecy about the Class of '93, the truth of which depends alone upon the class itself.

As four hundred years ago the caravels went forth from Spain to discover a new world, so will the Class of '93, following the example of that wonderful navigator, go forth and discover new truths, immortal and imperishable. Follow his example, yes, in that energy that he displayed, which revolutionized the world. Seek for truth as Columbus sought for it, and, having found it, believe in it. Follow it, though the course be westward through unknown seas, and though your gallant ship be tossed about by the billows of falsehood and error. To succeed, you must believe in yourself; and to believe in yourself, you must be true to your own instincts.

College days are over. Commencement is at hand. The labors of the past are but the weapons of the future years. Labor is the key to success. If you would be in harmony with the busy world, you, too, must be busy; if you would be in harmony with the Divine plan of creation, you must labor.

Do this, classmates, and with minds so bright, and intellects so keen, there is no honor so high but that you may aspire to it, no reward so great but that you may achieve it. Posterity will write your names high in the Temple of Fame, and, in the annals of the University of Michigan, the *Columbian Law Class*, the *Banner Class* of this great university, will be its bright particular star, fixed in the zenith of fame by the untiring efforts of cultured minds and willing hearts, shining forth with ever increasing brilliancy to light the footsteps of those who wish to tread the paths which we have trod.

This is my prophecy, and I have done. You are the arbiters of your own destinies. Ever remember that ceaseless energy, tireless perseverance, and unfaltering diligence can never fail. Remember the words of the poet,—

"It is not money, or brains, nor is it fate,  
But 'git up and git' that makes men great."



## VALEDICTORY.

MILTON JOHNSON.

[Milton Johnson was born near the little village of Germantown, Bracken Co., Ky., September 12, 1866. Until seventeen years of age his life was spent on the farm, his only educational advantage being the district school with its five month's term. His college career was begun at the Normal University at Lebanon, O. After teaching a year he entered Glasgow College, Glasgow, Ky., where he graduated in 1888, receiving the degrees of B. S. and C. E. In the fall of the same year he accepted the principalship of the Mayslick, Ky., High School which position he held until coming to the University of Michigan in '91.

On April 5th, 1893, Mr. Johnson was married to Miss Mary Myall, of Mayslick, Ky.]

### *Classmates:*



It is not from choice, not for honor, not for love or gain that the Class of '93 has met here to-day. It is Time, the common arbiter, that has summoned us. Time, the unfolder of every covered fault, the leveler of every rank and creed, the test of truth and love, has called this class together for a last farewell. And Time, sleepless, tireless, presses on and forever on, heedless how nations progress or perish, how civilization advances or declines,

In its swift course bringing here happiness and distinction, there disappointment and failure, but laying at last "the shepherd's crook beside the scepter." Science, philosophy, religion—nothing can stay the great pendulum as it swings back and forth measuring out to each the brief hours of his existence.

Classmates, if we could count time by thoughts and feelings, by victories and defeats it would, indeed, seem longer than two years since we gathered here in '91; gathered from places widely separated; gathered from mansions of plenty or from cottages on the hillside; from homes hallowed by a father's counsel and a mother's prayer. But life is a panorama; its scenes are ever shifting and

vanishing into shadows of the past. Behold upon every hand the truthfulness and solemnity of this thought,—the dirge, the pean, the bursting bud, the dropping leaf, the cradle rocking to the tomb, the bending form and furrows on the aged brow, the impeded stream with music singing onward to the sea. Viewed in this light scenes like these are always solemn and impressive. They summon us to serious thought. They bid the busy wheels be quiet for a time that we may see the imperfections of our lives, and with renewed strength, take up the snarl of life's thread and unwinding its tangles, start once again with forbearance and trust as guides toward the heights.

If human history teaches us anything it is that the races are making rapid progress in justice, virtue and every art of peace. Despite the complaints of apostles of discontent we have better governments, more recognition of individual rights and more humanity in the world today than ever before. The "divine right of kings" has no place in our modern history. The rule of Cossac and cutlass, helmet and plume and high sounding title has passed. There is no knight meeting knight clothed in protecting steel. Superstition and pagan ritualism are fast disappearing and in every land the shackles have fallen from bondmen.

So, too, swells the tide of brotherhood and human sympathy. On every hand the good Samaritan is ministering to the wants of the needy. Let an Ireland be famishing, and the whole world gives her aid. Let a cry for bread come from the Russian peasants, the world knows no Czar, and ship loads are sent to their relief. The veterans of the Red Cross are binding the soldier's wounds. The noble missionary is carrying the story of salvation to pagan lands. There are homes for the homeless; asylums for the distressed; and prayers and tears for the unfortunate and striving brothers of earth.

All along down the ages we can see the impress of liberated minds, can hear the tread of heroes only in an Abraham, a Moses, a Socrates, or a Luther. Man then was doubtful of his position. He looked upon his progress suspiciously. He feared to trust the growing revelations of truth. And nations, by their very thought, in one age reared a mob that in the next reveled around their funeral pile.

Now man gropes no longer. Light has scattered the darkness; truth has dispelled the error; and, with an emancipated conscience, with faith in humanity, he has caught the spirit of noble cheer and is making life's cold pathway warm with the sunshine of the soul. The ark of the covenant is upon every hill top, and in the living present we feel the throb of mighty nations keeping step to music sweeter than the song of a Raphael, more inspiring than a "Marseilles" or a "Watch by the Rhine," more patriotic than a "My Country! 'tis of Thee,"—'tis the brotherhood of man keeping step to the central harmony of truth, marching on to the city of God.

To what is this liberation of man attributable? Whence the cause of this human progress? Has it been due to science? The goddess of science tells of the tunneling of mountains, the separation of continents, the binding of the earth with belts of steel, the reading of the mysteries of a star strewn sky, but tells us these are but results. Has it been due to philosophy? Kant and Haegel spent their lives in abstraction but found it not. As we read the works of Bishop Butler we seem to hear the voice of a great thinker crying in the wilderness. Francis Bacon, one of the most brilliant intellects Great Britain ever produced, whose passion and splendid ambition it was to know all knowledge, died the death of a pagan. No, not to these! This progress is due to the solid faith in the relationship of humanity to divinity; to the increasing hold each age has taken upon the common heritage of truth left it by the preceding; to the education and the development of the conscious life of man; to the spread of principles throughout the world all athrob with life and love.

Blot out of the world its generous sympathies, its large and loving trust in man and God, and life would be but a mockery. The cultivation of the benevolent affections is the sheet-anchor of our hope. Hearts are stronger than heads or swords. Every human action or human product worthy the name of excellence is the result of heart-power. Every example of biography worth our emulation, every inapetus received by the onward march of civilization, is the result of the power of the heart. On the other hand, the intellect is constantly erring. "Thinking can only help to measure out the

helplessness of thought." Theory has permeated the world with ruin. Reason and logic have been wrong in their conclusions more times than they have ever been right. Turn to history and behold what has been done under that universally accepted principle that "the law is the perfection of human reason." The direst crimes have been perpetrated under its sanction. It was a judicial tribunal expressing this accepted principle which condemned the Saviour to die the death of a malefactor; which sent Paul in chains from Judea to Rome; which crimsoned the Seven Hills with the blood of martyrs; which enforced the tortures of the inquisition and the un pitying guillotine. It was a judiciary surrounded by the forms of English law, which sent Sir Thomas Moore to the block and which lighted the fires of persecution at Oxford and Smithfield that glowed over the cinders of Latimer, Ridley and Rogers; and which afterwards, with Jeffries on the bench, blackened the pages of English history with deeds of murder and massacre—even with the blood of innocent women and children. Aye, and it was a judicial tribunal in our own country, carrying out the mandates of the state which hung witches at Salem, which upheld bills of attainder, and which affirmed the constitutionality of the Stamp Act while it admonished the people to obey.

But the imagination and an unsullied conscience; a highly developed "man within";—this heart-power was never wrong. It stirs within us a love for the beautiful. It is the soil out of which grows every line of real poetry. It is that power which finds expression in music, painting and sculpture. It is that part of man that stands the wear of life and breathes a benediction over its decline. It nailed the theses to the church doors at Wittenberg; it founded a pilgrim's home; it fired the tongue of a Wendell Phillips and a William Lloyd Garrison; it inspired the pen of a John Bunyan and Harriet Beecher Stowe; it planted the greatness of England's throne upon the corners of an English Bible. Aye, and to-day it is loving the whole world into the bosom of its God.

Indeed, the finest talents, the most brilliant intellect without strongly developed feelings without a heart beating for the happiness and development of humanity, will at the end prove a miserable failure. Think not, gentlemen, that convictions and courage

are old-fashioned and unmanly. Think not that the imagination is a faculty of falsehood and deception. The imagination is a truthful and a truth seeing faculty. It is that subtle and mysterious gift, that intense intuition which, piercing beneath all surface appearance, goes straight to the core of an object, enters where reason and analysis cannot go, and vitalizes all knowledge. Conviction is the most manly thing in all the world. It is the beacon light amid the storm, the Gibraltar that breaks into a thousand fragments all the sophistries and compromises of the age. Wendell Phillips stood by his convictions in spite of president, congress, clergy, and murderous mob. Pym denounced his king and upheld the people's rights. It was conviction and moral courage that led Otis to brand George III. a robber, and that led Adams and Hancock to uphold the Declaration of Independence at the peril of their lives.

Manifested in the love for the human race, it was this heart-power that took Howard to the pesthouses and prison pens of England, and caused Peabody to give his millions for the education of the poor. Manifested in gratitude and friendship, it has developed the spiritual nature, beautified many a character, and brightened many a page of literature. Expressed in the love of kindred, it is the priceless blessing of mankind. It links the mother to the child and holds the child true to the interests of the parents in the days of needed care and sympathy, thus building the home—the foundation of the state.

To us, its most valuable application is in the form of personal character. Personal character, the best thing we meet with in all our experiences, the one thing needful for a man, which to lose is to lose all, and to gain is to gain all. How paltry are the trades of patriotism, the tricks of statesmanship, and the rewards of successful baseness, when compared with the homage paid personal character. It is greater than the tributes to official service, to literary genius or scientific distinction. Character gives force to the utterances of a stammering tongue, while the lack of it will make the most glorious appeals of no effect. Upon the pages of history it shines with beauty. Burke's philanthropic virtues will outlive the period when his shining political power is forgotten. Chatham's ascendancy over the minds of his countrymen was due more to

political integrity than to his oratory and talents. The name of Stonewall Jackson, all aglow with firmness and virtue, will live when the principles for which he fought have become traditional. It is not Washington the Federalist, Washington the Aristocrat, to whom the nation pays annual tribute ; but Washington of transcendent purity of purpose, Washington devoted with absolute unselfishness to the welfare of his country. Forgotten are the abolition principles of Lincoln, vanished like frost in a flood of sunshine is the sharp sting of his controversial speech, but not forgotten is his lofty manhood, his uncompromising determination to do right. Nay, wherever liberty is the heritage or hope of man, there is heard, and will ever be heard, laudations to the personal character of this man of humanity, honest "Abe" Lincoln, who "lived and died in form and soul a man."

Classmates, in after years our minds will instinctively turn back to the experiences of the past two years. On some scenes it will fondly linger. For many have been the ties of friendship formed, ties that cannot be broken by years or distance. We have felt the generous sympathies, the loyalty and help of brothers.

Soon we shall go forth with the benediction of the University upon us. To-day we are students, but to-morrow we are upon the stage of human action. Study the needs of your country and of the community in which you live. Remember that the lawyers are the safeguards of the Republic, and be bright patterns of honor, loyalty, and virtue. Contemplate steadily the brevity and uncertainty of human life, and convert the flying hours into coin of heart and brain. We know not what the future may have in keeping for us. No hand can raise the veil, no searching eye can pierce the mists and tell to each his future destiny. Then let us toil on, trust on, failing not for sorrow and faltering not for sin. Remembering this, we cannot say farewell, nay, it is an unfitting word ; for, be we

"On fields where brave men 'die or do',  
In halls where rings the banquet's mirth,  
Where mourners weep, where lovers woo,  
From throne to cottage hearth,"

each day will draw us nearer. And in after years, from mind to

mind, from soul to soul, o'er all the world, the electric thrill of  
truth will make us one.

Classmates of '03, God speed.

# GLASS DAY EXERCISES.

LITERARY DEPARTMENT.





## PRESIDENT'S ADDRESS.

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HADLEY BALDWIN.

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### *Fellow Classmates :*

We are met to-day to celebrate the close of an important epoch in our lives. Four short years ago, at the behest of a kind fate we assembled for the first time amid these scenes then new, now so familiar and so dear to all of us. The interval has been crowded with rare opportunities, which we begin fully to appreciate only now as we bid them a lingering fond farewell. The college days of '93 have passed over into the realm of happy memories. Within a few hours we shall have received an honorable discharge from our present relations to the University, and shall scatter again whence we came. We have laid a broad and firm foundation on which to build the great and serious business of life, and as we go we have smiling down upon us the blessings of our Alma Mater. Gathered, as we are, from near and from far, some of us possibly shall never return, many of us but rarely.

Naturally, then, we pause in our ambitions and future planings, and throw a backward glance along the course we now finish. We have much to rejoice over and little to regret. In these days of large numbers and many diversified lines of college work, where the tendency is to blot out class distinctions, we have hung together with a tenacity of spirit that has made us conspicuous among our fellow students. In all those phases of college life which tend to invest it with that charm peculiar to itself, in athletics and in social and intellectual recreation, '93 has participated with an enthusiasm that has made her career happy and brilliant, and which has kindled in the heart of every member a warmth of feeling for class and college that must enter into the permanent sentiment of days to come, even as it has entwined our sympathies here. I would, perhaps, be remiss in my duty if I did not refer with pride to that

handsome pennant that has for three years so proudly borne the name of '93 alone. The achievements of the football team stand for more than the victorious efforts of eleven men. These efforts were but the active expression of that spirit of hope, courage and determination which pervades the class, which has characterized all its undertakings, and which, carried into the sterner affairs of life, will insure similar triumphs there.

Not in vanity do we recall the part we have played in college affairs, but rather, on this day of new beginnings, that in reflecting upon the past we may gather new inspiration and strengthen within us the hope and purpose to become men and women of influence, ready and able to cope wisely with the larger duties of American citizenship soon to be thrust upon us, that we may be numbered among those who guide the people along the paths of public safety.

We have sat at the feet of men of learning and fame. In mingling with our fellows we have been subjected to the cultivating influences of a community representative of the best people of America. Surely we cannot have failed to catch the broad and liberal spirit of this great institution.

Stifling, then, as best we may those keen regrets of parting that must needs come at this time, we do well to meet the future with a smile. While we would not forget that trials and perhaps defeats may come to the most favored of us, yet surely there waits a successful career for each of us willing to pay the proper price for it. Even now, echoing up and down the land, reflecting just honor upon our Alma Mater, we may hear the fame of men and women who once stood where, and as we stand to-day. What they are doing we must do, and more. However loyally we may have performed the duties our college has set before us hitherto, we yet owe her a mighty debt. She has held to our parched lips a cup overflowing with a precious wine, she has equipped us with a good armor to fight the battle of life, and now with uplifted finger she points to new duties and asks as her only recompense that we perform them well.

Over and above all the wealth of fact we may have grasped, whatever be its commercial value, our richest dower from the university is a broad and deep conception touching the meaning of

life itself, from which springs the inspiration to live close to lofty ideals, the essential purpose to perform with the truest efficiency our part in life. Without this the sweetest success eludes, with it we may with confidence go forth to meet the issues of the future.

## THE CLASS HISTORY.

JENNIE EDDY.

The Muse of History has had several hard jobs in her day. Some time ago, illustrious Rome loomed up on the horizon and centuries passed before a Gibbon was found to write her glories. Hume tried to do his duty by Old England, and Bancroft sang the praises of our great and growing Republic. But to-day, a body greater than any of the great powers of antiquity, greater than kingdoms and principalities, is to give to the world its history. What brain is fit to fashion it? What leaky fountain pen is worthy of blotting the pages of the records of the illustrious Class of '93? —a class whose glory, strength, powers, intellect, ambitions have never been approached. Nothing remains to the Historian of such a class but the fabrication of such mild deeds as the public would expect from an ordinary class. Were the truth to be told, no one would believe it; and as the reputation of the class for veracity must not be imperiled, the Historian begs that any one discovering any facts in the following pages will kindly take them to the Steward's office and receive a suitable reward.

The class of '93 began to appear on the earth nearly forty years ago. The investigations of the first comer proving satisfactory, she was joined in a few years, we won't say how many, by another wonderful bit of humanity whom to-day we see, a full grown man, filling the honorable position of class poet. The year 1870 witnessed the arrival of nearly a hundred future '93s, while in December of '73 came the last of this illustrious company. The years of childhood passed happily and the spring of '89 saw graduate three hundred of the brightest students that have ever made their trembling bows before anxious rows of friends and relatives and delivered in grandiloquent style the essays with which their teachers have kindly supplied them.

The calender, over which we had puzzled many months, made

but two things clear to us: first, that during the college session students are not allowed to leave town without permission of the President; and second, that exams would begin Sept. 24th. It was a beautiful fall. The trees were still flaunting their bright green foliage, giving a feeling of comfort and friendliness to the modest youths and maidens which every incoming train brought in larger and larger numbers. We found our way to the corner of a large piece of ground enclosed by a fence, where our attention was attracted by flaming posters, telling us to see Bowen if we wanted any information. On finding him with little difficulty, we were supplied with more wisdom than we had ever before dreamed of. Henry Walker was there to furnish all with Students' Hand Books, which we soon learned to hide and to consult only with the greatest secrecy. When we got to the big front door, we found it decorated with a push sign. Pulling it open, we walked in, noticing at the same time, a sickly smile diffuse itself over the face of an innocent youth who seemed to be waiting outside for somebody. We found later that he was a '92.

The interest in the '93s entering on examination was soon overpowered by that which diploma students caused. Prexy's broad smile of welcome lengthened into a decided grin when one blooming youth walked proudly to the front with his framed diploma hanging from his neck. Class records fail to preserve his name, but his deed will ever remain in our memories as fresh and green as the verdant youth himself. After the first great meeting in chapel, when "Grover" Cleaveland received his first round of applause, and we also heard for the first time George Dygert's sunny smile, we started out for classes, conquering the hearts of all, even Scott, then tute in English. By the end of the first week we found out that Andrew Gibson wasn't Dean of our Department and stopped taking off our hats to him. Somewhat later, the report spread that Dupy wasn't a foreign student but Professor of French. This fact was discovered by those who hadn't had friends to warn them against beginning French in room 12.

We early began to attend faculty meetings. Gratigny was the first to present himself, in answer to a request to explain why he had elected forty-two hours. Mr. Gratigny informed the honorable

gentlemen of the Faculty that he was fully equal to forty-two hours; that he had gone through the Cincinnati High School in three months and expected to take in the U. of M. in as many semesters; and finally, that he could do twice as much work as anybody else, because, like Napoleon, he didn't require but four hours sleep. To all of which the said honorable gentlemen listened respectfully, and cut down the election blank in question to sixteen hours. Wherefore Gratigny is still with us. He is evidently a twentieth century man, one of those fast liver's who ought to breathe ozone instead of common air. In all his long and useful career he has never lost but one moment. That fatal time was when he looked up to see Cleveland go by. The moment is gone forever, and he is still rushing on to catch up with it.

The first semester was not far advanced when it became evident that the class must be organized. One balmy evening Alpha Nu room saw gathered in its spacious limits a crowd of turbulent, eloquent '93 Independents. Never can the wonderful speeches of Hugo Pam and David Porter Mayhew be forgotten! The election was quite as exciting. Upper classmen kindly assisted the Detroit faction in guiding our momentous decision, and Paul Marley Day was inaugurated as the first President of glorious '93.

The first event of importance was the Foot Ball rush, brought on by a rash challenge from '92. Our whole class was mustered out. Several patriotic girls were rather startled to receive postals with the notice, "Come out and rush next Sat. A. M. at 9 o'clock! Wear your old clothes!!" Needless to say, the girls came, but failed to fulfil the other instructions. The whole morning long a seething mass of legs and red and black streamers surged back and forth on the campus, in the usual rain and mud. At last, a shout, the like of which had never been heard before outside the Law building, smote the air—'93 had won the first goal! Further sport that day was out of the question as it was dinner time. Whatever else the class of '93 may have neglected during its four years in college, it never has neglected its meals. Perhaps therein lies the explanation of many of its great achievements. '92 didn't seem at all anxious to finish the rush, but at last, spurred on by the taunts of '91, they set another day for meeting us. The second goal was never won.

'93 had the ball over the line several times, but a cry of foul was raised, and with our usual magnanimity, we did not dispute the question. At an opportune moment, for '92, their captain got in the way of the ball and was hurt. '92 claimed the goal, of course, but as they never were noted for telling the truth, this was no more than we expected. Thus ended the sixteenth decisive battle of the world, the first of a series of foot ball victories which has astonished the whole University, and filled the hearts of '93 with commendable pride.

In November of '89 they told us the Pan Americans were coming to see us. We admired their good sense, and turned out *en masse* to welcome our dusky brethren of the southern continent. Such a procession, such a meeting in University Hall, such shouting and howling there was, as we have never had before or since except at the ever-memorable visits of Cleveland and the legislature. At this first gathering, however, our visitors were not annoyed by tin horns, and showers of rubbers and flour. The '94 laws had not yet made their appearance.

About this time occurred an event of great importance in society circles—our first Freshman social was held at the home of Mr. Walker. A number of '92s were on hand to serenade us as we started for home, but we thought them too insignificant to notice. In January Will Cheever entertained the class. Our most distinct recollections of this evening are Maude Elaine Marie Caldwell's gracious reception of us all, and the very entertaining story which Prof. Scott told. On the spot we made him one of us, an honor of which he has proved himself in the highest degree deserving.

By the close of the semester, we began to feel at home. The book-store men complained that since our coming, yellow envelopes had fallen below par, and it seemed that the statement must have some foundation when George Dygert won his first great victory, his credit in Math.

With spring came interested whispers about the Freshman banquet. Report said our president couldn't dance, but this was counterbalanced by another which said he could eat very well indeed, and that was the chief requirement. On the evening before the banquet, came the awful news that our Toastmaster was Lost.



Strayed or Stolen. The wildest excitement prevailed. It was found that Mr. Evans, perfectly unsuspecting, had been decoyed into a close carriage, gagged, bound and held with difficulty by six '92 men, and driven off—somewhere. After twelve hours anxious search, his classmates returned Mr. Evans to Ann Arbor, none the worse for his short imprisonment, and even better off, as he was the center of attraction during the entire banquet. Despite '92 it had proved a grand success. Not only all the officers, but also ten of the co-eds of the class were present. About half those remaining spent the evening with Miss Mildred Hinsdale, in silent indignation that a Class banquet should be for the boys alone. Happily, none of our boys were found in the condition of one man we have heard of, who, after running into a dozen trees on Washtenaw and politely begging their pardons, sat down on a horse-block to wait for the procession to pass. "Parenthesis" Breakey and his five companions in crime, (the abductors of our toastmaster), were summarily suspended for one year. We felt sorry for them, but can't help thinking that they got their just deserts.

The only other events that we shall mention in this first year of our triumphal march through the U. of M., were the election of the Oracle Board, and the adoption of class hats. In early June we bade an affectionate farewell to our friends and instructors, and went away to our forty-three respective states and territories to spend the summer months in the full exercise of our calm and dignified superiority over others.

October found us back again with diminished numbers but increased brains. We did our duty by the '94s,—laughed at them as they tried the back door; smiled sympathetically when we heard they had all been conditioned on entrance physics; looked interested when they talked of Freshman French and sent them to Dupy; told them that Ziwet was a grind in Math, while Hussey was the biggest snap on the Faculty;—in fact, took even more pains with their early introduction to University life than '92 had taken with us, which was quite useless.

Our class received some valuable additions that year. Frank Manny came from the Indiana sand hills, bringing with him the first edition of what Henry Walker calls his "semi-annual beard."

Horton C. Ryan had the previous spring bidden a loving good-bye to Swarthmore College and decided to cast in his lot with the more remote and less inquisitive U. of M. We missed Sam Kinne's gentle face from Chapel, a startling fact, which, when investigated, led conclusively to the inference that he had taken up his abode in the Law Department. Maude Caldwell still remained and Will Cheever was happy.

Early in the year, the class held the last sad rites over the University Foot Ball rush. A short time after, '94 was thrown into consternation by a challenge from us to a tug-of-war. They, with their usual conceit, accepted, and the time set was Field Day. As it drew near, dire terror smote the hearts of '94. They held a secret meeting to devise means of eluding the awful defeat that was sure to come, and finally decided on base treason. They cut the rope so that the first strain severed it, and we were obliged to postpone our victory. Next time extra precautions were taken. One end of the great rope encircled the mighty form of Griffin, while in the other, a puny '94 struggled to maintain his identity. The action was quick and decisive with the inevitable result. '93 has never been defeated. We are not a boasting class. So many and varied have been our victories that we have not time to mention all, much less, to dwell on any.

About this time it was noticed that Mr. Belden had removed his spectacles. Inquiry brought to light the fact that some unkind person had hurt his feelings by calling him "Goggles" Belden,—hence the removal of the offending articles. As nothing of importance was expected of the class in its Sophomore year, Dave Trainor was allowed to occupy the presidential chair. We did well whatever work came in our way, and were abundantly satisfied with our own glowing opinions of ourselves. It was in this year that we made our first fight for the Foot Ball Banner, a fight which resulted in a glorious victory, equalled only by those other conquests of the two succeeding years, by means of which the banner has remained with our class, and the annual '93 Foot Ball banquet has been established. If one may judge from the air of secrecy preserved about the whole thing, and from the sweet notes of Ta ra ra Boom de ay to be heard anywhere within a mile of the hall where it is held, this

banquet is an event to be excelled by nothing in our College world.

This year, a few, invited by Prexy to go home for their health, transferred their names to the rolls of the Medical Department. In due time, our Oracle came out, a book that is an honor to its editors and to its class. After carefully comparing it with all the Oracles which have appeared, not only before, but since ours, we feel no hesitation in bestowing upon '93's Oracle the first and highest place.

The new road to Ypsi which had made its appearance during our summer vacation proved very convenient for those of us studying human nature at the Normal, but since the east end of the line has been decorated by the Keeley Cure, patronage has dropped off wonderfully. Perhaps it is fear of notoriety in connection with this infirmary that makes our would-be-orator, Allen, hesitate before showing a sketch of himself, lengthened into a sign post, and labelled, "One Mile to Ypsi." However, if he always stops one mile this side of Ypsi, we've nothing more to say, as it must be a strong habit which couldn't be broken even by his great force of will, born of a determination not to do any work for his munificent salary as attendant of the library.

In October of '91 we came back, ready for new conquests and any stray learning that might accidentally be acquired. Charlie Vaughn's radiant face beamed above a Delta Tau pin at last.

The class fortunes were literally, as well as figuratively, put into the hands of Louis G. Whitehead, our Secretary and Treasurer. From the records he didn't make, one might infer that our Junior year did not exist, but that would be a sad mistake. Not only was our zeal in Athletics unabated, but we turned our eyes towards the field of Literature. We gave our kindly support to the *Daily* and *Inlander*, and feel proud to-day of the fruit of our efforts. In this same literary line, we took up the study of Anglo Saxon, under the immediate supervision of our modern Shakespeare, yclept Hemplins in common parlance. The records of Ryan and Benjamin Franklin Hall in this course, are equalled only by those of Galbraith, the "Teacher-I-know-it" man and Hahn in Transition English. But the memory of this is too fresh within us to need more than the slightest hint of those happy days.

The Foot Ball Banner, won for the second time, disappeared

mysteriously one day, the petty act of some jealous '94. All hearts were crushed. We had the sense of victory, but what was that without the sign of it? A suggestion to alleviate our grief grew and expanded until it took definite shape in a committee for a Junior social. Beyond the fact that this was a '93 social, and therefore necessarily a grand success, most of the class would have nothing to say. But those behind the scenes remember a few things even more vividly than the hosts of introductions and Mr. Holmes' Irish Letters. For instance, the slices of cake, so thin that one could read common type through them. Then there were the spoons, which came near spoiling the whole thing, until an innocent boarding house keeper was found who let us have them for a quarter, instead of three dollars, the regular price. But the crowning glory was the return of the Foot Ball Banner, quite as mysterious as its disappearance. Joy returned to our hearts, and peace "spread out her white wings, and sailed home to us." Our social was an example followed by every other class in the U. of M. and we ourselves had learned the lesson so well that the girls scraped together thirteen dollars and gave another. On June 5th the Class gathered for the last time that year. Prof. Scott's extravaganza and Whitehead's drill in Pedagogology linger in our thoughts as pleasant parts of the evening, while the Seven Wonders of '93 may still be seen, sweetly reposing in Dygert's scrap-book.

It is time now time to record that wonderful series of events in our History commonly known as the publication of the *Castalian*. Being personally connected with them, the Historian fears lest her feelings may overcome her, and recalls as briefly as possible the sad blighting of our brightest hopes. The class all know how diligently the eight members left on the Board after twenty had been elected, plied their guarantee lists until some foul slanderer started the story that they even went to church to get more names. The business men of Ann Arbor know how patiently these editors came and went and came again, till one bad man yelled "Git-Out!" whenever they appeared. The students and Profs. know how they were bored to death for literary material; but only Ryan and Baldwin and the faithful men who drew those Cuts know the crowning glory of this to-be-most-glorious *Castalian*. We pass rapidly over the year of

hard labor, soon to be ended—not in a brilliant publication, but in a conflagration quenched too late by tears, salt tears! Only a bit of yellow paper it was that bore the dire news—a little telegram from the Engraving company, cruelly awakening us to the fact that all those precious, priceless Cuts, which even Raphael might be proud to own, all were gone up in smoke and ashes! I. K. Friedman alone took a cheerful view of the case, and when asked what on earth he would do with all those marvelous poems he had ground out for his class, he answered gaily—“O, the *Palladium*’ll be glad enough to get ’em.” Thus endeth our first great sorrow.

This brings us to the middle of our Senior year. Going back a few months, we find Strauss rubbing his chin for hours at a time, sure sign of the hirsute appendages soon to come. A few weeks later, the class of '93 held Senior election. Although much excitement was looked for, the election proved one of the most peaceful in our history. Ninety-three votes decided that Engineer Baldwin was henceforth to preside over the throttle of the iron horse which was drawing the '93 vestibule train with dining room and parlor cars attached, to the end of its trip. The feeling of friendship which has always existed with more or less warmth among the passengers, received a fresh impetus when it was known that the Sweet Ps, Misses Parsons, Pope and Power, would be At Home to the '93 girls March 4th. This was in no way a retaliation for the Foot Ball Banquet which had been held the previous week, but it fostered among the girls the same comradeship which has bound the boys together.

Strauss's face had now assumed an unwashed appearance, so noticeable that it is said to be a fact that Prof. Demmon sent him home one day to clean it. Our first Senior Social occurred March 11th. McLauchlan and his “funny-graph” proved conclusively that the talents of '93 are without beginning or end. The usual trying questions of a Senior's life, Caps and Gowns, Tax, and Pictures, resulted as usual. The resignation of our Prophetess, Miss Merritt, was accepted with much regret, and Miss Bedell was elected to fill the vacancy. Strauss's beard had by this time assumed such formidable proportions that he was obliged to use his curling iron four times a day.

In May, the class sat for its picture on the steps of the Gym. Lathrop and Sam Harris were first on the spot, anxious to get a prominent place. McLauchlan ornamented the Greek inscription over the door, while far beneath, Mame Colver and Juliette Sessions had a well-bred squabble for the possession of a place on the pedestal. We shall not spring any chestnuts about the camera breaking, for by this time Strauss had shaved his beard. Suffice it to say that in due season we got a picture that did us all justice, which is perhaps the highest praise we could bestow upon it. Our time was getting short, and we made the best use of the little that remained. Miss Gibson quite neglected her college work,—she had “so many places to visit the last time, with so many people.” We emptied our pocketbooks to satisfy the ravenous demands of Secretary Wade and Frank Smith, and to-day are wondering if the Michigan Central will trust us for our fares home.

Last semester, Prof. Taylor impressed upon us the value of statistics, so we add a few, to show the effect of our college training. In numbers we are without an equal in preceding literary classes. In height we range from E. E. Taylor, whose head towers six feet eight above his massive pedestal, to Miss Frost, whose fairy form is but four feet four, high heels, big hat, and all. Taylor is the man who at first sight is sometimes thought to be Sober, but a slight acquaintance is sufficient to dispel this illusion. Our brains haven't been separately weighed yet, but we feel confident that the average is not less than fifty-four ounces. On the theory that Decke's swelled ear has affected the interior of his head in the same way, we might raise the average by two or three ounces. Half the men in the class, following Dygert's illustrious example, are engaged. Only two, Carr and Dorrance, have committed matrimony, but we take a magnanimous view of these cases, and assume that there were extenuating circumstances. A few of the class have paid their expenses from their own pocket books; others have succeeded in not paying them at all. All of us except Lightner have earned our credits by our own efforts. The favorite boarding place is Prettyman's Pie House, which received seventy-five votes. Jolly's comes in a close second with seventy-two. Hanks is given the honor of having the best ice cream soda in town, while Whitmore Lake is generally voted the

favorite resort. Wilkinson couldn't tell a lie about it, so owned up that he loves Rosey's above all other places of attraction. Our tastes for amusement are more varied. Gardiner would be perfectly happy if he could chew gum from one end of the year to the other, while Miller and McCracken idolize their pipes. Quirk would rather talk than do anything else, and Peters says his favorite amusement is studying—he don't specify the line of research. Lola Conrad also enjoys bohning, her favorite study being engineering minus the last syllable.

We expect to run the country when we leave college. A dozen or more have already begun to bolt lectures in the Law Department, and '93 promises to the present ruler of the United States a successor of his own name. Frank Manny and Henry Walker will enter the ministry, and the rest of the class say modestly that they will do whatever they can find to do, provided it isn't too hard work. Miss Crabbe has been to chapel every day during her entire course, except the morning when the class pictures were taken. This record is equalled only by that of Crummer, who confesses that he didn't know there were chapel exercises here. Willie Charnley decided last semester that his health was too poor to carry more than six hours, so cheerfully dropped from our ranks to '94. We boast but two Smiths, but what are they beside the Holland twins with their wonderful memory of dates and the Crimean War?

The votes for the most popular co-ed in the class show that we are about equally divided in favor of our vice-president and Miss Merritt. In both these preferences, the opinion of the class is warmly seconded by individual members of the Latin Faculty. The young men are so charming (in their own opinions), that each received one vote. Of course we don't mean to insinuate that they voted for themselves. Perhaps our best known man is Vesey, he of East Seminary Room fame. To his efficient (?) service we owe the marked courtesies shown us at the library, which until the second semester of this year has been under his close and careful supervision. Babst gives us pointers on all the latest English fads. Witness the programs for the Senior Social, where Scott and Andy Mac are classed as Patronesses. Prof. Walter is placed beside Prexy on the list of favorite professors, with Drake and Pat not far

behind. No one of us is sorry he came to college. One man regrets deeply that he elected Steere's Zoölogy for a snap. The class is extremely grateful for one thing, and wishes publicly to express its thanks that Brooks, alias Prof. Adam's coach in mathematics, doesn't belong to us.

The following information has been sent in by the persons mentioned, who deemed it fitting to answer once for all certain inquiries which have more or less harassed their otherwise peaceful careers :

*Firstly.* Isaac K. Friedman and H. A. Friedman are no relation to each other, never have been, and never expect to be. It is still a debatable question which is more angry when asked if he belongs to the other. That is a point we do not feel at liberty to settle arbitrarily.

*Secondly.* Mr. Hart hasn't been a Justice of the Peace, and isn't married yet, although he can furnish any one with information regarding the fees for marriage licenses.

*Thirdly.* Hedley Richardson's pipe belongs to him and not to Paul Day, as some people have erroneously supposed.

*Fourthly.* The man referred to in the following quotation has been identified with a member of our great class, \_\_\_\_\_ :

"There was a merchantman seeking goodly pearls, who when he had found one Pearl of great price, went and sold all that he had and bought it."

*Fifthly.* Miss Hayes does not write in a cipher. It is her natural handwriting, perverted by two lecture courses to Spencer.

*Sixthly.* The exciting series of match tennis games between Vi Duffy and Nægely, which has been watched with interest the past two months, is still unfinished. In the two thousand four hundred and three games already played, Miss Duffy is four ahead. The grind on Jennings, which was to appear at this point, is omitted at the special request of a '93 co-ed.

We already possess a number of eminent men and women whose fame would make the ghost of Cæsar turn green with envy. Among the poets are such names as Holmes, Friedman, Miss Carter, and Bird. Of philosophers, who can equal F. N. Scott, Miss Tanner, and our "Shipp of State"? Adler and Drake excel as



bolters ; and as flunkers, Briggs, Miss Alger, Galloway and Sanderson head the list. Our beauties are John Stanley Hurd, Clarence Heath and Valdimir August Geringer. Our snap-hunters are Cummings, Nellie Dunham, Byron C. Porter, Hornung, and Joseph Sabine Hubert Holmes. A few people are so well known that they don't need especial mention, viz., Henry Goddard and the Kappas. We do not like to close the History without devoting a full-page cut to Thomas, the Lady Killer, who hangs broken hearts instead of scalps to his belt. We should like to draw a picture of him arrayed in gorgeous war paint, but skill is wanting. We should like to grind Kuhn and Towl and Fisher and Goulding and hosts of others, and tell how Jo Roberts and Dora Elmer got lost one time, and called at the Psi U House to ask the way home, but they have all been so pleasant *lately* to the Historian that her heart fails her. It is only a lack of time that the rest of the class owe their escape.

And now that we have come to the end of our rope, it is with mingled feelings of joy and regret that we prepare to say farewell. We sincerely hope that our going will not seriously disable the U. of M. Such a great loss cannot help being deeply felt, yet we hope the Class of '97, which is beginning to enter, will in part take our place. If the History may infringe a little on the Prophecy, we shall close it with a record of the brilliant Gym-jam that in future years will be known to posterity as the '93 reception ; and Commencement Day, when Alma Mater bestowed on her most favored children the well-earned sheepskins to which they have looked forward for four years. We came, we saw, we conquered. What we shall do in the World, who but the Prophetess can tell ?

## “ I AM AN AMERICAN CITIZEN.”

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CLASS ORATION BY SHERMAN C. SPITZER.

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We have assembled here this morning in accordance with annual custom. Probably the thought which is uppermost in the minds of each and all is the severance of those relations which have so long existed between us as classmates and fellow-students. A feeling akin to that of patriotism has been awakened in us by the varying scenes of university life. In a few short hours we must bid adieu to college friendships and associations. Soon, bursting all ties of union save those of memory, we must go forth into the world of work to share its privileges and assume its responsibilities. In all the walks of life, there are no duties more important, no opportunities more inviting than those of American citizenship.

The proudest utterance of the ancient was his declaration of Roman citizenship. And Paul in Jerusalem, was saved from the fury of the mob when he said: “I am a Jew of Tarsus, a city in Cilicia—a citizen of no mean country.” This ancient boast, translated from the Latin and the Hebrew, is intensified in the modern declaration: “I am an American—a citizen of no mean country.”

American citizenship is at once *an inheritance and a legacy*. The inherent right of every native American, it is also the gift of this government to the eligible foreigner. The fusion of European races on our soil, slow-perfecting through a century, has produced the American of to-day. The Puritan has joined with the Cavalier, the Huguenot with the Hollander, the German with the Swede; and all have united to form the Angle-Saxon-American,—the finest racial type since the dawn of civilization.

As in the past, so in the future, we need foreign elements to strengthen our national character. But a most alarming tendency of later immigration is its changed character. The greater races are

giving way to the lesser; and with the lowering in the quality, has also come a vast increase in the numbers. During the last decade there landed upon our shores a concourse of immigrants greater than the population of eleven of our western states.

America is truly "another name for opportunity." Her territory broad enough, her people generous enough, she ever stands ready to welcome and adopt all foreigners of honest faith and fair intelligence. But never will she have sufficient breadth or generosity to permit within her borders the existence of a Little Germany, with her Sabbath of beer and debauchery; a Little Italy, with her treachery and papal dominion; a Little Ireland, with her paupers and her secret societies; no, not even the over-bearing aristocracy of a Little England. Russian lawlessness is not for us to contend with; questions concerning Bismarck belong to Germany; those of Irish land-tenure are the heritage of Great Britain. Never should they be engrafted on American politics.

To stop foreign immigration entirely is not only unwise and impolitic, but it would prove disastrous to our own best interests; yet to restrict it to its proper limits is not only wise, but absolutely necessary for the maintenance of our free institutions and the preservation of our national character.

But while foreign immigration continues, it is a national command to all foreigners: "Ye must be born again." The object of our Naturalization Process in its operation, like the aim at its origin, must ever be. the conversion of foreign subjects into loyal American citizens. But does it accomplish its purpose? Consider its rapidity, its formality, its results! Five years is required for admission to citizenship, yet in fifteen out of forty-four states, six months is deemed a sufficient qualification for suffrage. Not long ago in New York city one judge turned out 800 voters in a single day; and at a recent election in the city of Chicago, the record made was another voter with every passing minute.

Citizenship and suffrage are sacred trusts, and they ought to be conferred impressively and carefully. A man's oath to support a constitution which he can neither read nor understand is a useless safeguard in our political system. There is a vital need for more uniform legislation commanding a longer preliminary residence, and

enforcing against judicial officers heavier penalties for violations of the law.

As the foreigner enters New York harbor, perhaps the most conspicuous object that greets his vision is Bartholdi's colossal statue of liberty. Holding in one hand the Book of Justice, and in the other the Torch of Freedom, the Goddess conveys to him in no uncertain language those fundamental ideas which are to transform him from the foreigner to the American, from the subject to the citizen. Liberty restrained by Law, Justice enlarged by Freedom, the massive pillars of Constitutional Liberty firmly secured on the living rock of Human Rights,—these, the characteristics of our government, are found united and crystallized in the idea of American citizenship.

The efficiency and quality, the force and virtue, of every government depend upon its rulers. There is serfdom under the Czar of Russia, military discipline under the emperor of Germany, but in the United States, there is liberty and equality: there is citizenship. Ours is a government guided by the Supreme Power of the people. The citizen is king. Therefore we need thinking for citizenship, study for citizenship, training for citizenship. And that training should in every respect be American. Distinctly American ought to be the tone of our schools and colleges; of our newspapers, our literature, our citizenship. Too often does the American youth study the history and institutions of foreign countries at the expense of his own. Too often does the American girl idly swinging in her hammock, shed tears over the hardships of a laborer as depicted by a French Novelist without appreciating his condition at Homestead or Toledo. Thus do we see the great importance of an improved popular education,—one more highly moral, intellectual, and political. This is applicable alike to foreigners and to native Americans; for it is everywhere becoming a firm conviction, that incompetent Americans, as well as unfit foreigners, are admitted as citizens, and that the price of admission to foreigners and Americans should include a better moral character, and a higher intellectual development.

*The first battle of the citizen must be fought against himself. If defeated, he will soon show us that an unworthy man is always*

an incompetent citizen; but if victorious, he will carry with him into the realms of active political life, his better judgment, nobler nature, and purer manhood.

Just as binding is his obligation to vote is his duty to attend the primary. At the head of the political party in America stands the convention, and back of the convention is the primary and the caucus. If we leave the caucus to the "ward-heeler" and the politician, what can we expect of our representatives in legislative halls?

Having formed an honest opinion concerning the question, measure, or man before the court of the whole people, his next duty is to express it through that great avenue of public opinion,—the ballot box. Here he is performing a public duty, not serving himself. And if it is bribery in law to buy another's ballot, or sell his own, is it not an equal crime to purchase votes with public offices, or use them for merely personal ends?

But this privilege of citizenship suffers no more from abuse than it does from neglect. Through the press and from the platform, a constant alarm is being sounded over the great and growing power of the "Labor-vote," the "foreign-born-vote," the "Saloon-vote." But think for a moment! Is there a power in this country at the ballot-box to-day that can compare with the "Stay-at-home-vote?" The entire foreign-born-vote is less than two and a half millions; the whole force of the United Labor is less than one and a quarter millions; but the "Stay-at-home-vote" was, in 1888, more than four millions, and neither the last general election, nor the recent minor elections make any better showing. What the country now needs—what the state of American politics now demands—is the active, honest support of all true men and loyal citizens.

Within the next decade, it is said, must be settled at the polls questions that "hold within their scope the gathered wrath of centuries \* \* \* ." In the face of the great national evils we often seem to drift helplessly in our search for remedial forces. An improved morality, a higher education, party success, an advancing civilization,—these are all in turn looked upon as the great safeguards of the Republic. These are all aids indeed, but they are no more. America's strength lies rather in the reserve power of her people. Her hope lies rather in the character and influence of the

individual citizen. Before him as a court of last resort will be ushered all the vexing questions of the Future, and upon the wisdom of his decree will hang the destiny of the Republic.

Perhaps it is in vain that we search to-day for the typical American. The Westerner, the Southerner, the Yankee only represent sections. As in the life of the individual so in the history of the nation, only great crises in war and peace bring out the men of breadth and power. It was under pressure of English tyranny that *American sentiment* felt its first throb of life. Under its magic wand, the Puritan joined hands with the Cavalier; the North united with the South; the thirteen colonies became one. Speaking through the pen of Jefferson and from the lips of Adams, it was embodied in the Declaration of Independence. Inspiring Washington and his whole army at Valley Forge and on the Delaware; guiding Hamilton in his labors for Federalism and in the Treasury; this new life, speaking through Patrick Henry, said to all the world: "The distinctions between Pennsylvanians, New Yorkers and New Englanders are no more; I am not a Virginian, but an American!"

But while founding a nation, a constitution was written, more perfect indeed than any historic model, but within whose form lurked the germs of dissention and disunion. This compromise between states' sovereignty and national supremacy, disturbed by sectional jealousy and combined with the issue of slavery, culminated in the Civil War. And in the shadow of the impending crisis was born anew the spirit of the typical American. We feel its power as we behold Webster in the Senate replying to Hayne. It thrills us as we follow Clay through the congress of 1850. It speaks to us through the lives of Garrison and Lovejoy. It flowed from the lips of Sumner, Blaine and Conkling in the Senate, while on the platform it inspired the eloquence of Beecher and Phillips. It was the vital force of the Union Army in '64 and '65; and in the storm of battle, amid the tremendous loss of life and the dreary hardships of prison, this spirit showed itself heroic and sublime.

And in the fullness of its tide, coursing through the brains of Abraham Lincoln, it penned the Emancipation Proclamation and literally "loved a nation into Peace." Still later in our history, this same unifying force, remodeled but with all its former vigor, ush-

ered into being the new South; and, placing at its head Henry W. Grady, it first taught his people to bind forever the name of Lincoln to that of Washington.

These are our heroes, our historic models, our great Americans. Together they constitute the ideal citizen, the typical American.

Thus we see a silent force moving through our history, a fraternal spirit which binds the people closer to each other. It differs somewhat from the sentiment of freedom; it is not the exact equivalent of moral heroism; nor is it identical with the spirit of patriotism; and yet it unites the essential elements of them all. Under its beneficent influence, state lines are obliterated, sectional jealousy is forgotten, and party spirit is merged in the spirit of patriotism. Call it American sentiment, American sympathy, or what you will, it has exercised a wonderful influence in our history.

But this spirit of the typical American manifests itself not alone in civil and political conflict. It shines forth with equal beauty in times of peace. As the great fire swept over the city of Chicago in '71, when

“Thousands were saved but to suffer  
And hundreds never were saved,

\* \* \* \*

Enkindling in all the people  
Sweet charity's holy flame;

\* \* \* \*

From slumber the army started  
At the far-resounding call:  
Food for a hundred thousand  
And clothing and tents for all!

\* \* \* \*

And I heard through the next night's darkness,  
The trains go thundering by  
Till they stood where the fated city  
Shone red in the brazen sky.

\* \* \* \*

The rich gave their abundance  
The poor their willing hands  
There was wine from all the vineyards,  
There was corn from all the lands.”

Again, when the great earthquake shook the ground around Charleston, it set in vibration the same chords of American sympathy. And as the mighty waters rushed down the narrow Conemaugh valley sweeping away Johnstown,—its homes, property and people, the same sentiment came to the rescue, and Americans freely offered the tribute of their sympathy, their generosity, their wealth.

And even now in the heat of peaceful conflict over questions of capital and labor; of free silver and the tariff, of immigration, the saloon, and a pure and equal ballot, though surrounded by great national evils, we need have no fear; for below the questions that agitate us, beneath the party strife and political turmoil that distract us, there flows deep and pure, the stream of American thought and patriotic sympathy; and, moving in its current, we see as our goal rising from historic foundations, clear and strong, our grand ideal of citizenship.

With that great stimulus toward a better moral and a higher intellectual life since the Civil War, awakening Americans to the duty which they owe to their country, and schooling them in that great business of self-government and in the best and most effective way to wield the power of their citizenship; with the diffusion of education and christianity among us, crushing under their invincible advance: ignorance, immorality, intemperance, socialism, sectionalism, and political corruption; we may mark the time as being not far distant when, in answer to Patrick Henry, and in imitation of all our great heroes, will be heard from all parties and creeds and sections, as the controlling sentiment of our people: "I am neither a Northerner, nor a Southerner; a subject neither of Germany, nor of Ireland, nor of Italy; neither a Democrat who hates a Republican, nor a Republican who despises a Prohibitionist; but nobler, broader, higher than all: I am an American Citizen!"



## CLASS POEM.

ARTHUR H. HOLMES.



To-day we stand with half reluctant feet  
Upon the line where past and future meet;  
To-day we pause and cast a backward eye,  
Then turn to where the forward prospects lie.

O happy memories of early years!  
O laughter-days with fleeting clouds of tears!  
O pictures set in roses gemmed with dew,  
With summons glad we call ye to our view.

Ye days of first rare fellowship with joy,  
When all the world was but a curious toy,

We greet ye coming from the land of youth,  
Where all was new and fair, and all was truth.

We look upon that life within a life  
Ere false and true had entered into strife;  
We see the fond delusions of the child,  
And smile, yet pausing, wonder that we smiled.

What is that life so quickly passed away?  
The brilliant dawn of a less brilliant day;  
And yet, perchance, a mirror where we see  
Reflections of a life that is to be.

Now come the days when wondering we learned  
Of care, restraint, of toil, of leisure earned.  
Of weary tasks that must by us be done,—  
An April season with its showers and sun.

O first-earned freedom! What a joy was ours  
To revel in the haunts of birds and flowers;  
With noisy glee unhindered ways to take  
In field and wood, by crystal stream and lake.

Transition years, the group we next behold,  
When life began its meaning to unfold;

When vague ambition filled us with unrest,  
And throbbing purpose grew within each breast.

And last the years of which the now and here  
Are fitting culmination; still so near  
They lack perspective; years must stand afar  
Before our eyes can see them as they are.

To-day is harvest; from the fertile soil  
We reap a just reward of earnest toil;  
Not first fruits—these o'er which we joy to-day,  
For we have gathered much along the way.

The seed of learning sown in fields of mind  
Quickly matures and manifolds its kind.  
Seed-time and harvest here together go,  
Sowing we reap, and gathering we sow.

What shall we sow? and where? To answer right  
Means rich reward, a harvest of delight;  
To answer wrong means unrequited pain,  
With weeds for harvest, and with care for gain.

'Tis ours to look upon the various way,  
And with a careful eye the land survey.  
What do men there? What wages do they earn?  
They are our teachers if we choose to learn.

Great throngs of men, vast multitudes untold  
Are wearing out their lives for paltry gold.  
Gold is the master, they the willing slaves;  
Gold is the sea that drowns them in its waves.

Make gold your servant, it will serve you well;  
Make it your master, you may still compel  
The outward forms of favor; yet will know  
They are but forms, a hypocritic show.

Go farther, serve it best, you can but find  
A base enthrallment of the nobler mind;  
Your heart now great with purpose manifold  
Will cease to beat except for gold, gold, gold.

O narrow life! O pitiful sad life!  
O days and years of unrewarded strife!  
May we, by happier destinies controlled,  
Not sell our freedom for the bonds of gold.

## THE GRADUATION SOUVENIR.

Many are there of learning, strength, and skill,  
Of ceaseless toil, of energetic will,  
Deluded ever by hope's fatuous flame,  
The winning of a widely-lauded name.

Do justly what is yours. Out from the ways  
May come to you the welcome voice of praise;  
Yet guide not life by fame, a star untrue,  
Misleading many as it leads the few.

Success in life is not to gain a hoard  
Of useless wealth in useless coffers stored;  
'Tis not to win the fickle crowd's acclaim,  
Nor gild life's disappointments with a name.

Success in life is life that satisfies.  
Who lives to gain that goal is truly wise.  
Wisdom and honor come from no estate;  
The just, they are the wise and truly great.

## PROPHECY FOR CLASS OF 1893.

MAUDE BENJAMIN BEDELL.

Looking back over the continual rise in the world's history, we find certain men who stand out in bold relief. They were larger men than those who had come before them, and those who came after them. They did their great work which gave to posterity their names laden with honor, and then passed away. Conspicuous among them were Cyrus, Alexander, Caesar, Peter the Great, and Napoleon. But what was the motive power which raised these men? The answer can be nothing else than Ambition. Secondly perhaps to make their nation great before the world, but first to make themselves great.

But the day of war and conquest is over. Henceforth the decisive battles of the world will be fought on moral and intellectual fields; the engines of this war will be intelligence and truth.

We stand now on an eminence which has two views; one looking backward over the path the world has come, the other over that happier way such as Tennyson divined "When he dipped into the future" and "saw the vision of the world and all the wonder that would be."

On this summit I stand to-day and with prophetic vision see what place our Class of '93 will take in the onward march.

At the recent opening of the Imperial Institute, Queen Victoria was presented with a beautiful and significant emblem, a key. The key was a piece of exquisite workmanship. All the lands belonging to the British Empire contributed to its manufacture; South Africa gave the gold for the handle, Australia for the stem, British Columbia for the wreath and leaves, while the silver and diamonds, and rubies and pearls came from Burmah, India and Ceylon. Engraved on one side are the words "*Auspicium melioris aevi.*" The main feature on the other side is the star of India, set in very fine bril-

"the way to find greatness is to serve," then the greatest man is the greatest servant, and the greatness of the world is simply common every day faithfulness meeting an opportunity.

The brotherhood of man has for years been the dream of poets, and the aim of noble men. So not for ambition are they striving, but the lesson is learned that the truest happiness is found in the forgetting of self and the devotion of all powers and faculties to the ministry for the joy of somebody else.

The vision fades but not before I have seen among this Class of '93 many a Joan d' Arc, led on by heavenly visions; many a Clara Barton, filled with love and works of philanthropy; many a Lincoln whose hearts beat with love for the multitude; many a Philips Brooks in his consecrated manhood, unfettered by the chains of ignorance and prejudice, following the gleaming of the star born from out these halls to-day to the conquest of the world.

## ADDRESS BEFORE THE LAW ALUMNI.

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### THE PRACTICAL UTILITY OF THE STUDY OF THE SCIENCE OF JURISPRUDENCE.

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BY LAWRENCE MAXWELL, JR.

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In determining the subject of my address to you to-day, I have not been unmindful of the occasion. Most of you are at the threshold of the profession. You have completed a prescribed course of study; you are about to enter upon the active work of your lives. You are looking forward, it may be, with cheerful confidence, or it may be with anxious hope, to the days that are before you; and it would not be unnatural, if in such a situation, you would prefer to hear some thing of the history, or traditions of the profession you are about to enter; something of the men to whom it has brought fame or fortune; something of the stories of their lives; something, in short, from a member of the profession, to confirm the hopes and encourage the aspirations with which your hearts are filled on the eve of your graduation. But it has seemed to me that I might best show my appreciation of the honor which you have conferred upon me in inviting me to address you, and might best recognize and, in a feeble way, help to preserve the traditions of the occasion, heretofore adorned by addresses of learning and power from men of high position and justly distinguished in the profession, if I were to invite your attention to a subject of a more serious nature, which, it seems to me, hardly receives the consideration that it deserves, even from the schools of law, and which, to the great majority of practicing lawyers, is a sealed book.

The ordinary practising lawyer looks upon the Science of Jurisprudence as a fad of the schools. He does not know who John Austin was, or what he did. He has heard his name, which he associates with the names of Bentham and Mill and other "theo-

rists," as he is pleased to call them. He has never read Holland. He looks upon a disciple of Austin with something of the same sort of compassion with which the practical politician regards the scholar in politics; as a theorist, a pedant, one who lives in the clouds and is given to speculations and refinement which unfit him for the practical affairs of life. It is because of this sentiment, far too common yet at the bar, and because I regard the study of the Science of Jurisprudence as one of the most important and practically useful subjects which can engage the attention of a lawyer, that I ask you to consider it to-day, with special reference to its practical utility.

I know that in this school of learning, where science is studied for its own sake, it is not necessary to claim attention to the study of any science, especially the science of the law, upon the ground of its practical utility; but when that study is disparaged or discouraged by men whose standing in the profession gives influence to their sentiments; we are justified in exposing the error of their view and in showing, if we can, that it rests after all upon nothing but an unfounded prejudice.

What is the Science of Jurisprudence which these practical men would discredit? It is nothing but the classification of law upon a scientific basis; nothing but the application of logic to law; nothing but a systematic arrangement of the fundamental principles of law, under which it is possible to classify and distribute every actual system of law. The Science of Jurisprudence does for law what the Science of Botany does for plants, what the Science of Zoology does for the animal kingdom, what the Science of Geology does for the earth, what the Science of Astronomy does for the heavenly bodies, what every science does for its subject matter. By a process of logical abstraction it brings masses of isolated facts into appropriate groups, thereby enabling the student to obtain a clear and comprehensive and connected view of the whole, and to understand clearly and appreciate precisely the relations of each part to every other part, and to the whole. Surely, such a study is worthy the attention of every lawyer; and we may well ask how any lawyer can justly claim the title who has not mastered it.

The Science of Jurisprudence, as thus understood, has only been

called prominently to the attention of English and American lawyers within comparatively recent times. The reason for this is not difficult to discover. In the first place, we would naturally expect to find, in the law, as in every other department of human affairs, that practice has preceded science. No science has been invented or conceived *à priori*; systematic classification and arrangement has always followed a long course of practical dealings with isolated phenomena, whose relations to each other have not been perceived at first. And this is especially true of English law, which is the outgrowth of decisions made from time to time, in cases as they have happened to arise in the controversies of men. These decisions the State, in England or America, did not gather together, so as to classify and arrange them in a systematic whole or code. That work was done for Roman law by the State, but in England it was left to private enterprise, and was undertaken by Sir William Blackstone in a course of lectures delivered by him at the University of Oxford, in 1758. I have no disposition to underrate the great value of Blackstone's Commentaries, but he accepted an arrangement of the law, based upon an analysis of Lord Chief Justice Hale, which is now known to be indefensible as a scientific classification. Blackstone supposed he was following the system of the Roman Institutes, which, in fact, he misconceived, through a wrong translation of *jus rerum*, and a misunderstanding of the distinction, in Roman law between *jus rerum* and *jus personarum*.

The civil law was little studied in England, and Blackstone's arrangement passed there unchallenged until John Austin took the field. Austin is an interesting personality. At a very early age he entered the army, in which he served for five years. He was called to the bar in 1818. It is said that the eminent lawyers, in whose chambers he had studied, spoke of his talents and of his application in unqualified terms, and confidently predicted for him the highest honors of his profession. But soon after his call it became evident that he was to fail as a practicing lawyer. His devoted wife thus describes his situation:

"His health was delicate; he was subject to feverish attacks which left him in a state of extreme debility and prostration, and as these attacks were brought on by either physical or mental



excesses, nothing could be worse for him than the hurry of practice or the close air and continuous excitement of a court of law. And if physically unfitted for the profession he had chosen, he was yet more disqualified by the constitution of his mind. Nervous and sensitive in the highest degree, he was totally deficient in readiness, in audacity, in self-complacency, and in reliance upon the superiority of which he was conscious, but which oppressed rather than animated him. He felt that the weapons with which he was armed, though of the highest temper, were inapplicable to the warfare in which he was engaged, and he gradually grew more and more self-exacting and self-distrusting. He could do nothing rapidly or imperfectly. He employed a degree of thought and care out of all proportion to the nature and importance of the occasion. These habits of mind were fatal to his success and business. . . . He was, as he says, intolerant of any imperfection, and so long as he could descry the smallest error or ambiguity in a phrase, he recast it again until his great mind could no longer suggest an objection or a difficulty. This was not the temper which could accommodate itself to the imperious demands of business. After a vain struggle in which his health and spirits suffered severely, he gave up the practice in 1825."

When the University of London was established in 1826, it was expected not only that it would receive classes of persons who were not admitted to the ancient universities, but that it would foster and encourage sciences which their conservative spirit excluded. Among the sciences which it was proposed to teach was jurisprudence, and John Austin was called to fill the chair. As soon as he was appointed, he resolved to go to Germany, in order to study on the spot, what had been done and was being done by the great jurists of that country, for whom he had already conceived a profound admiration. He studied accordingly at Bonn, which was then the residence of Niebuhr, Brandis, Schlegel, Arndt, Welcker, Mackeldey and Heffter.

He returned to England in 1828 and opened his lectures at the University of London with a class which included many men who later became eminent in law, politics, or philosophy. No provision was made by endowment for the maintenance of his chair. He was obliged to depend upon the fees of the students, and, finding that

his subject was not in demand amongst the great majority of law students, who were disposed to regard their profession only as a means of making money, he felt compelled to resign his professorship. He gave his last lecture in June, 1832. Two years later he was engaged to deliver a course of lectures on jurisprudence at the Inner Temple. But it soon became apparent that the same causes which had rendered his appointment to a chair of jurisprudence abortive at London University, were in operation in the Inns of Court. The demand for scientific legal education had not been created; the eminent lawyers who had adorned the English bar and bench had been formed by a totally different process, and the young men entering on the profession were, the most part, indifferent to any studies but those which had enabled their predecessors to attain places of honor and profit.

In 1832, while he held his chair at the University of London, Austin published a volume which entertained an outline of his scheme, and a full exposition of so much of it as related to the determination of the province of Jurisprudence. He entitled this volume, "The Province of Jurisprudence Determined." I can hardly recommend its study on the ground of practical utility. It is largely devoted to the polemics of Benthamism, and to digressions upon such subjects as the psychology of the will, codification and utilitarianism, which are apt to discourage the student bent upon the main subject. This is the only portion, however, of Austin's writing on the Science of Jurisprudence that was published during his lifetime. The volume stopped short of the main subject; it did not develop his scheme of classification; and it is not surprising, therefore, that it failed to attract attention or to win favor.

To Austin's widow, students of the Science of Jurisprudence are indebted for the preservation and judicious editing of the portion of his work which he left in manuscript. This she published in 1863, which is the first time that anything like an adequate view of Austin's scheme was accessible to the public and even that was fragmentary. Still later, Mr. Robert Campbell, of the Scotch and English bar, published an edition of Austin's lectures, in which he made advantageous use of the notes of the original lectures which had been made and preserved by John Stuart Mill, one of Austin's

pupils. The following extract from an obituary notice of Austin's widow, appearing in the London Times of August 12, 1867, gives an interesting glimpse at their life in London and of their character and position:

"Mrs. Austin was descended from the Taylors, of Norwich, a family which has in several generations produced men and women distinguished by literary and scientific ability. She was born in 1793, and she received in her father's house an education of more than common range. In 1820 she married John Austin, then a barrister on the Norwich circuit and came to reside next door to Bentham and Mr. James Mill, in Queen Square, Westminster. Although that house could boast of none of the attraction of luxury (for the fortune of its owners was extremely small,) it soon collected within its walls as remarkable an assemblage of persons as ever met in a London drawing room. There might be seen a dim and fitting figure of the past, Mr Bentham, his two disciples James and John Stuart Mill, the Grotes, the rising lawyers of that day whose success has justified the promise of their dawn, Bickersteth (afterward Lord Langdale,) Erle (afterward Lord Chief Justice of the Court of Common Pleas,) Romilly (later Master of the Rolls,) and Senior; and all this wisdom and learning was enlivened in later years by the wit of Charles Butler, by the hearty sallies of Sydney Smith, by the polished elegance of Jeffrey, by the courteous amenity of Lord Lansdowne, and by the varied resources of foreign visitors who found a home by Mrs. Austin's hearth.

It remained for Thomas Erskine Holland, of Oxford, in his work on the "Elements of Jurisprudence," published in 1880, to develop and complete the system which Austin mapped out, and it is to Holland that students may now refer for a concise and adequate exposition of the Science of Jurisprudence. It is proper to remember, however, the valuable contribution to the subject made by William Markly, Judge of the High Court of Judicature at Calcutta, in his book entitled, "Elements of Law," published in 1874.

It would be out of place for me to occupy your time on this occasion with even an outline of the classifications which these writers have presented. Enough has been said to indicate the character and object of their work. They take legal rights as the

subject matter of jurisprudence, just as the botanist takes plants as the subject matter of the science of botany, or as the zoölogist takes animals as the subject matter of his science, and they arrange and classify legal rights on a logical and scientific basis, just as the botanist arranges and classifies all plants, or the zoölogist the animal kingdom, so that a comprehensive view is given of the whole body of the law, which is applicable alike to any and every system of law, whether English or civil, ancient or modern, and so that the relation of each legal right, and of every class of legal rights to every other right, or class of right, is seen and appreciated.

But in the first place, legal rights which are the subject matter of the Science of Jurisprudence, are defined and distinguished by the scientific jurist from other rights. A legal right is shown to be "a capacity residing in one man of controlling with the assent and assistance of the States, the actions of others." A legal right differs from might, which is the power to execute one's wishes without reference to the aid of the State, and from a moral right, which has behind it, not the power or sanction of the State, but only public sentiment. This view suggests at once not only the difference between moral rights and legal rights, but the desirableness of establishing, so far as possible, a coincidence between them.

Having defined legal rights and distinguished them from all other rights, the science of jurisprudence asks how legal rights may be classified scientifically, that is, logically. It shows, first, that a legal right presents four elements: (1) A person in whom the right resides, or who is clothed with the right; (2) In many cases, but not always, an object over which the right is exercised; (3) Acts or forbearances which the person in whom the right resides is entitled to exact; (4) a person from whom these acts or forbearances can be exacted—in other words, against whom the right is available. Or, in the terminology suggested by Austin and Holland, the four elements of a legal right are, (1) the person entitled, or the person of inherence; (2) the object; (3) the act or forbearance; (4) the person obliged or the person of incidence.

It can be seen at once that a great many modes of classification are possible. I cannot take the time or trespass upon your patience to suggest even a few of them, or to present the arguments in favor

of one mode as against another. Let it suffice to say that the classification generally accepted, is that which first divides all rights with reference to the political or non-political character of the persons with whom they are connected, and thus established, as the grand division of law, (1) International Law, where the persons of incidence and of inherence, i. e., the persons entitled and obliged are both States, (2) Public Law, where the person entitled is a State, and the person obliged is an individual, e. g., Criminal Law, (3) Private Law, where the persons entitled and the persons obliged are both private.

Private Law is then divided into Substantive Law, which defines rights, and Adjective Law or the law of procedure which provides for their protection and enforcement. The next subdivision is into Normal Law and Abnormal Law, the former dealing with rights as unaffected by any special characteristics of the persons with whom they are connected, and the latter dealing with rights as affected by the status of the persons concerned, e. g., coverture, infancy, lunacy, alienage, etc. Rights are also divided into antecedent rights and remedial or secondary rights, the latter always growing out of breaches or infringements of antecedent rights. Finally all rights are divided into rights *in rem* and rights *in personam*.

A moment later I wish to direct particular attention to this classification of legal rights into rights *in rem* and rights *in personam*, not only because it is the fundamental and radical distinction adopted by the Roman jurists, but because I wish to apply the arguments based upon that distinction to two or three great cases that have actually occurred in the courts, by way of illustrating the practical utility of the Science of Jurisprudence, and for the purpose of showing how a lawyer, familiar with the scientific distinction between rights *in rem* and rights *in personam*, might have argued and perhaps have won those cases.

But before proceeding to these particular practical illustrations permit me to suggest generally two or three ways in which the study of the Science of Jurisprudence is of obvious practical utility.

1. In the first place, no other study affords to a lawyer such an opportunity for mental training combined with the acquisition of

knowledge useful in his profession. It is the sort of exercise that a man gets from walking, when he walks, not for the mere sake of the exercise, but to accomplish his business.

Students will naturally resort hereafter to Prof. Holland's treatise, rather than to Austin's lectures, as being the more complete and systematic and readable presentation of the subject, but for myself, when I recall the mental exhilaration with which I arose from the reading of Austin, I do no regret that Holland's book had not then been written, and I am ready to endorse the following tribute which John Stuart Mill pays to the master, at whose feet he sat:

"No writer," he says, "whom we know had more of the qualities needed for initiating and disciplining other minds in the difficult art of precise thought. Though the merit and worth of his writings, as a contribution to the philosophy of jurisprudence are conspicuous, their educational value as a training school for the higher class of intellects, will be found, we think, to be still greater. Considering in that aspect, there is not extant any other book that can do for the thinker exactly what this does. Independently of the demands which its subject makes upon the attention, not merely of a particular profession, but of all liberal and cultivated minds, we do not hesitate to say that, as a mere organon for certain faculties of the intellect, a practical logic for some of the higher departments of thought, these volumes have a claim to a place in the education of statesmen, publicists and students of the human mind."

2. The study of Science of Jurisprudence is now a part of the prescribed course of legal education in England and is being introduced gradually into the law schools of this country. Its principles are adopted, and its terminology is employed, in many standard law books, such as Digby's History of the Law of Real Property and the work on Contracts by Anson, Blackstone's successor, as Vinerian Reader at Oxford. So that a lawyer must study the Science of Jurisprudence, who wishes to keep up with the times, and to be able to intelligently read the books that are coming out, and that may, otherwise, prove resistless weapons in the hands of his adversary. Among recent reports of the proceedings of the American Bar Association will be found the report of a Committee on Classification of the Law, adopting the Austin System, which would

be unintelligible to one not familiar with the Science of Jurisprudence.

3. Codification is being pressed vigorously to the front. But how is any man to undertake that great work, unless he is familiar with the basis for a scientific classification and arrangements of the law; and how is the Bar to do its part in superintending and directing the formation of a code, and in using it when adopted, unless a knowledge of the Science of Jurisprudence is wide-spread?

4. A mere knowledge of cases will not make a great lawyer; and moreover the cases are multiplying so rapidly and their volume is so great, that no lawyer in practice can find time to read even the syllabi of half of them. If a lawyer is to get along with his work at all, he must depend upon a mastery of legal principles, and how can that be acquired so well as by the study of the Science of Jurisprudence? How can we hope to know the exact boundaries of any legal principle; how can we appreciate its real significance and apply it to the new cases that arise, unless we have a clear and comprehensive map of the entire field? How can we distribute the cases as they come out, and retain them for use, unless we know the pigeon hole to which each belongs? And what sort of a Science is it, that relies for its classification, upon a digest of titles arranged alphabetically according to the whim of an indexer, whose skill is often measured by the facility with which he can use a paste-pot and scissors, or distribute different faced type attractively for cross reference?

Is a charter a contract within the meaning of that clause of the Constitution of the United States which declares that no State shall make any law impairing the obligation of contracts? This was the great question which was presented to the Supreme Court of the United States, and decided by it in the famous Dartmouth College case. The decision then made, and so often reaffirmed later, of course settles the question forever in this country, as a matter of actual law, but the conclusion reached by the Supreme Court that a charter is a contract, was so much resisted at the time by other courts, especially by the Supreme Court of Ohio, which refused to follow the decision of the Supreme Court of the United States, and has been so freely criticised by jurists ever since, and the question, if it were *res integra*, is so interesting in itself, that I have selected

it for the purpose of showing how the Science of Jurisprudence would have dealt with it, by way of illustrating the practical use to which that science may be put in the actual trial of cases.

It is "the obligation of contracts" which the constitution protects from impairment by State legislation, but, according to the Science of Jurisprudence, a grant or conveyance is not a contract, and does not create an obligation. A contract is an agreement. But agreement is a generic term, importing merely proposal and acceptance, mutual assent, the meeting of minds; and, in law, includes all transactions whereby persons may, by that process mutually affect their legal rights or relations. It embraces, without making a complete catalogue, contracts, grants, and conveyances, gratuitous or upon consideration (for even a gift requires the assent of the doner), marriages and releases.

But what distinguishes contract from other forms of agreement? Since all agreement—I use the word henceforth in its legal sense—affect in some way the legal rights or relations of the parties, specific distinctions must be sought in the character of the rights created or the relations established by different kinds of agreements. What is the specific mark of contract? What particular kind of right or sort of relation does it establish?

We cannot think of contract without thinking of an obliger, an obligee, and an obligation; of a promise made by one of the parties to the other, which the promisor is bound to the promisee to perform. Next to the notion of agreement, that of obligation is essential to the conception of contract. A contract without a resulting obligation of one of the parties to the other, and perhaps of each to the other, (bilateral contracts), is a paradox. This truth is illustrated and enforced by the apt language of the constitution. It is the obligation of contracts, which the constitution declares shall not be impaired. Without an obligation, there is nothing for the prohibition to operate upon. Manifestly it must be an obligation arising from the contract; one which would not exist but for the contract. And it must be an outstanding obligation, from the performance or observance of which, the obligor is not to be discharged. We may, therefore, define a contract as an agreement which creates a legal obligation between the parties to it; or, as an agreement



which establishes the legal relation of promisor and promisee between the parties to it; or, still otherwise, as an agreement which vests in one or both of the parties to it, a right, in law, to compel acts or forbearances on the part of the other. And we may affirm that no agreement which does not generate and leave outstanding, as its result, a legal obligation of one of the parties to the other, can be a contract.

Tested by these rules, is a conveyance a contract? That it is an agreement, is conceded. But is it a form of agreement which creates an obligation between the parties? What is the office and effect of a conveyance? Take an example. I own a piece of real estate, which means that I possess the right, as against all the world, to use and enjoy it without unlawful interference, and to transfer it at pleasure. I convey it to you, and you thereby acquire the rights with respect to it, which, before, were vested in me. But you acquire no special right against me, which you do not have against persons generally. After my conveyance, I am no more and no less bound to refrain from interfering with your use and enjoyment of the property, than is the rest of the world; and I am bound in no different way. The duty which rests upon me not to trespass upon the property which I have conveyed to you, is the same duty which I owe you with respect to all your other possessions; it is the same which, before I acquired title, I owed to the prior owner; the same which I, in common with all the world, owe to all owners of property. It is a universal duty, not resting on agreement at all, but imposed by the general law of property. My conveyance creates no special obligation against me, and, therefore, cannot be a contract. The sole office of a conveyance is to transfer rights already existing; that of a contract, is to create rights not otherwise existing.

Now, according to the 'Science of Jurisprudence, all rights, as I have said, are divided into two classes; rights *in rem* and rights *in personam*. By rights *in personam*—abbreviated from rights *in personam certam*—it meant rights which avail against some particular person or persons; by rights *in rem*—*in rem* being used, not literally, but as an adverbial phrase, in the sense of generally—it meant rights which avail against persons generally; that is, against the world at large.

Every contractual right is a right *in personam*. It is a right of the promisee against the promisor and against no one else. The rights of property, of personal liberty and security, of immunity from defamation, are, on the other hand, all instances of rights *in rem*. My right not to be libeled or slandered, not to be assaulted or unlawfully imprisoned, my right to use and enjoy my property without interference, are all rights, not against one person more than against any other, not against any particular person, but against all persons. The duty which correlates to a right *in rem* is a duty which rests alike upon all persons. There is no special tie between the person in whom the right resides, and any other particular person or persons. An obligation on the other hand, as distinguished from a duty, implies a special bond—*vinculum juris*—between particular persons, and applies only to the duty which correlates to a right *in personam*.

The office and effect of a conveyance is simply to transfer the right *in rem*, which constitute property, from the grantor to the grantee; and the grantor is thereafter, with respect to the grantee, simply in the situation of one of the world at large, against whom the grantee's newly acquired rights *in rem* avail. The mere transfer of rights *in rem* cannot, of course, vest in the transferee rights *in personam*, or anything else than rights *in rem*. By a conveyance, therefore, the grantee requires no right *in personam* against the grantor. But without a right *in personam* there can be neither contract nor obligation. The conclusion of the Science of Jurisprudence, therefore, is that a conveyance is not a contract.

But even if we improperly call a conveyance a contract, and the duty which thereafter rests upon the grantor with respect to the property conveyed, an obligation, it is not an obligation which is created by the conveyance, or by agreement at all, but by the general law of property. And not being an obligation of, that is, created by, the miscalled contract, it is not within the constitutional prohibition, which relates only to the obligation of contracts.

Frequently representations are made, or, as in the case of warranty deeds, contracts are entered into, simultaneously with, and incidental to a conveyance, from which arise rights and obligations

quite independent of the conveyance itself, and which must not be confounded with the conveyance proper.

A grant, in the sense of an original conveyance from the State, does not differ in any essential respect from a secondary conveyance. Its effect, like that of a mesne conveyance, is simply to vest in the grantee the rights *in rem* constituting property. This one distinction may be noticed, however: A conveyance never creates rights, while a grant from the State, as in the case of a corporate franchise, patent right, copy right, may create rights, but they are always rights *in rem*.

Analogous reasoning discloses the distinction between contracts and other forms of agreement, aside from grant and conveyance. Marriage is an agreement, establishing peculiar legal relations between the parties, but the force of the agreement is spent in effecting the relation. The rights and obligations incident thereto are created by the general law of husband and wife, entirely independent of agreement, and, for the most part, beyond its control. Those rights are rights *in personam*, and the corresponding duties obligations, but they are rights and obligations which are neither created nor prescribed by the agreement, as is invariably the case in contract, but independent of it.

The foregoing is an outline of the argument which a lawyer, familiar with the Science of Jurisprudence might have made, and perhaps successfully, in the Supreme Court of the United States, to show that a charter is not a contract within the meaning of the clause of the Federal Constitution referred to. Let us see how the question was dealt with by judges of that court, and how they came to confound grant and contract.

Fletcher vs. Peck, 6 Cranch, 87 (1809), is the first case in the Supreme Court of the United States involving the clause of the constitution prohibiting laws impairing the obligations of contracts. The state of Georgia, having made a grant of lands, afterwards, upon a claim that the grant had been obtained by fraud, passed an act annulling and rescinding the first conveyance, and asserting the right of the State to the land. The defendant below, a purchaser from the original grantee, had thereafter conveyed to the plaintiff with covenant that the title to the premises had been in no way con-

stitutionally or legally impaired by virtue of any subsequent act of any subsequent legislature of the State of Georgia. The action was for alleged breach of this covenant.

Chief Justice Marshall first discusses the validity of the annulling act, without reference to the constitutional prohibition. He states the question to be, whether a legislature may, by its own act, divest the vested estate of any man whatever, for reasons which shall by itself be deemed sufficient: "Is the power of the legislature competent," he asks, "to the annihilation of such title, and to a resumption of the property thus held?" He answers: "It may well be doubted whether the nature of society and of government does not prescribe some limits to the legislative power; and if any be prescribed, where are they to be found if the property of an individual, fairly and honestly acquired, may be seized without compensation. To the legislature all legislative power is granted; but the question, whether the act of transferring the property of an individual to the public, be in the nature of legislative power, is well worthy of serious reflection. \* \* The validity of this rescinding act, then, might well be doubted, were Georgia a single sovereign power." "But Georgia," he continues, "is a member of the Union, subject to the limitations of the constitution," and thereupon he proceeds, in the second place, to consider the validity of the annulling act in view of the prohibition of the Constitution against laws impairing the obligation of contracts. Having discussed the question in that aspect, he announces the conclusion of the Court as follows: "It is, then, the unanimous opinion of the Court, that, in this case, the estate having passed into the hands of a purchaser for a valuable consideration, without notice, the State of Georgia was restrained, *either by general principles which are common to our free institutions, or by the particular provisions of the Constitution of the United States, from passing a law, whereby the estate of the plaintiff, in the premises so purchased, could be constitutionally and legally impaired and rendered null and void.*"

Mr. Justice Johnson, concurring in the judgment but delivering a separate opinion, says: "I do not hesitate to declare that a state does not possess the power of revoking its own grants. But I do it on a general principle, on the reason and nature of things, a principle

which will impose laws even on the Deity. . . . . I have thrown out these ideas that I may have it distinctly understood that my opinion on this point is not founded on the provision of the Constitution of the United States relative to laws impairing the obligation of contracts."

Notwithstanding Chief Justice Marshall's opinion upon the point, the case does not necessarily decide that a grant is a contract. The judgment can be supported, and by Mr. Johnson is declared to be supportable only upon the ground that, without express constitutional prohibition, the right of property in a free government is inviolate. The case came into the Supreme Court on error from the Circuit Court, and a question under Federal Constitution was, therefore, not necessary to the jurisdiction of the Supreme Court.

But the Dartmouth College case, 4 Wheat, 518 (1819), which was on error to the Superior Court of the State of New Hampshire, necessarily decides that a grant is a contract. A federal question was essential to the jurisdiction of the Supreme Court; and the only one involved in the case was whether the act of the New Hampshire legislature, affecting the charter which had been granted to the trustees of the college, was in conflict with the prohibition of the federal constitution against laws impairing the obligation of contracts. Webster's published correspondence and Mason's brief in the New Hampshire court, (he did not argue the case in the Supreme Court,) disclose that they appreciated the distinction between a grant and a contract, and that they hesitated about the claim that the grant of the charter was a contract within the protection of the Constitution. Mason's first and principal point, to which he devotes three-fourths of his brief, is that the act of the legislature, complained of, was not within the general scope of legislative power.

In his letter of April 28, 1818, to Mason, Webster says: "The question which we must raise in one of these actions is whether, by the general principles of our governments; the State legislatures be not restrained from divesting vested rights? this, of course, independent of the constitutional provision respecting contracts. . . On this question I have great confidence in a decision on the right side. This is the proposition with which you began your argument at Exeter, and which I endeavored to state from your minutes at Wash-

ington. The particular provisions in the New Hampshire constitution no doubt strengthen this general proposition in our case; but, on general principles, I am very confident the court at Washington would be with us."

And in his letter of December 8, 1817, to Judge Smith, Webster says:

"It is our misfortune that our cause goes to Washington on a single point. I wish we had it in such shape as to raise all the other objections, as well as the repugnancy of these acts to the Constitution of the United States. I have been thinking whether it would not be advisable to bring a suit, if we can get such parties as will give jurisdiction; in the Circuit Court of New Hampshire. I have thought of this the more from hearing of sundry sayings of a great personage [Marshall.] Suppose the corporation of Dartmouth College should lease to some man of Vermont, (e. g., Marsh,) one of their New Hampshire farms, and that the lessee should bring ejectment for it. Or suppose that trustees of Dartmouth College should bring ejectment in the Circuit Court for some of the Wheelock lands. In either of these modes the whole question might get before the court at Washington."

But although, in the Dartmouth College case, the question was reargued, and in the opinions—particularly that of Mr. Justice Story somewhat discussed upon principle, the judgment of the court proceeded mainly upon the ground—mistaken, I submit—that it had already been decided in *Fletcher vs. Peck*, that a grant was a contract."

Let us examine the grounds for that opinion, as stated in *Fletcher vs. Peck*, by Chief Justice Marshall. He says, (page 136):

"In considering this very interesting question, we immediately ask ourselves, What is a contract? Is a grant a contract? A contract is a compact between two or more parties, and is either executory or executed. An executory contract is one in which a party binds himself to do, or not to do, a particular thing; such was the law under which the conveyance was made by the governor. A contract executed is one in which the object of the contract is performed; and this, says Blackstone, differs in nothing from a grant. The contract between Georgia and the purchasers was executed by a grant.

A contract executed, as well as one which is executory, contains obligations binding on the parties. A grant, in its own nature, amounts to an extinguishment of the rights of the grantor, and implies a contract not to re-assert that right. A party is, therefore, always estopped by his own grant. Since then, in fact, a grant is a contract executed, the obligation of which still continues, and since the Constitution uses the general term contract, without distinguishing between those which are executory and those which are executed it must be construed to comprehend the latter as well as the former. 'A law annulling conveyances between individuals, and declaring that the grantors should stand siezed of their former estates, notwithstanding those grants, would be as repugnant to the Constitution as a law discharging the vendors of property from the obligation of executing their contracts by conveyances. It would be strange if a contract to convey was secured by the Constitution, while an absolute conveyance remained unprotected.'

But it is not true, as suggested in this argument of Chief Justice Marshall, that a grant is an executed contract. A grant may be made pursuant to, i. e. in execution of, a contract; so may a journey be undertaken or a machine built, in execution of a contract. But the grant is no more an executed contract than is the journey or the machine. Nor is it true that a party is always estopped by his own grant. A grant does not *ipso facto* work estoppel at all. It is only when it amounts, under all the circumstances, to an assertion of title, that it works estoppel, and the estoppel is, not to dispute the grant, but to deny such assertion of title.

Chief Justice Marshall's third and last ground for his conclusion is equally open to dispute. It was not at all strange that the constitution should protect an executory contract while leaving an absolute conveyance unprotected. An absolute conveyance, as the Chief Justice had himself just shown on the preceding page of his opinion, needed no constitutional protection; it was protected by general principles of law under which, in all free governments, private property is inviolate; a belief which was so generally and firmly entertained that it was not thought necessary to insert in the Constitution, as originally adopted, a declaration of the great cardinal principle, that no man should be deprived of life, liberty

or property without due process of law. That the contract clause of the Constitution is not in fact necessary, and was not at the time deemed by the framers of the Constitution to be necessary for the protection of vested property rights, and was not inserted therefore for that purpose, is indicated by the following passage from the opinion of Mr. Justice Story (page 684) in the Dartmouth College case itself:

“Was it ever imagined,” he says, “that land, voluntarily granted to any person by the State, was liable to be resumed at its own good pleasure? Such a pretension would, under any circumstances, be truly alarming; but in a country like ours, where thousands of land titles had their origin in gratuitous grants of the States, it would go far to shake the foundations of the best settled estates. And a grant of franchises is not, in point of principle, distinguishable from a grant of any other property. If therefore, this charter were a pure donation, when the grant was complete, and accepted by the grantees, it involved a contract that the grantees should hold, and the grantor should not resume the grant, as much as if it had been founded on the most valuable consideration.”

The occasion for this clause of the constitution, specially prohibiting laws impairing the obligation of contracts, is found in the history of the Revolution, and the repeated acts of legislation in the different States during that period, by which the obligation of private contracts, with respect to time and mode of payment, was impaired. (See 11 Peters 572, 573).

Many grants, *ex necessitate* all gratuitous grants, including the very grant before the court in the Dartmouth College case, are not even made in execution of a prior contract. In daily life a large proportion of the transfers of real and personal property are made without prior contract therefor. There may be preliminary questions and proposals, but the transfer itself is often the first and only agreement reached; there is, preceding that result, no moment of time when either party is bound to the other to give or take.

The real distinction recognized by the Science of Jurisprudence between grant and contract is twice pointed out by Justices of the Supreme Court of the United States. In *Fletcher vs. Peck*, 6 Cranch, 144, Mr. Justice Johnson says: “There can be no solid



objection to adopting the technical definition of the word 'contract' given by Blackstone. The etymology, the classical signification, and the civil law idea of the word, will all support it. But the difficulty rises on the word 'obligation,' which certainly imports an existing moral or physical necessity. Now, a grant or conveyance by no means necessarily implies the continuance of an obligation beyond the moment of executing it. It is most generally but the consummation of a contract, is *functus officio* the moment it is executed, and continues afterward to be nothing more than the evidence that a certain act was done."

And in *Charles River Bridge vs. Warren Bridge*, 11 Peters, 573, Mr. Justice Mc Lean says:

"If it had not been otherwise laid down in *Fletcher vs. Peck*, I should have doubted whether the inhibition did not apply exclusively to executory contracts. This would have arisen as well from the consideration of the mischief against which this provision was intended to guard, as from the language of the provision itself. An executed contract is the evidence of a thing done, and it would seem does not necessarily impose any duty or obligation on either party to do any act or thing. If a State convey land which it had previously granted, the second grant is void; not, it would seem to me, because the second grant impairs the obligation of the first, for in fact it does not impair it, but because, having no interest in the thing granted, the State could convey none. The second grant would be void in this country on the same ground that it would be void in England, if made by the king. This is a principle of the common law, and is as immutable as the basis of justice. It derives no strength from the above provision of the constitution, nor does it seem to me to come within the scope of that provision. When we speak of the obligation of a contract, the mind seems necessarily to refer to an executory contract; to a contract under which something remains to be done, and there is an obligation on one or both of the parties to do it. No law of a State shall impair this obligation by altering it in any material part."

Illustrations of the practical application of the principles of the Science of Jurisprudence might be multiplied indefinitely. It is enough to say that the science, resting, as it does, upon the simple

application of logic to the law, and therefore upon the sure foundations of the law itself, cannot fail of recognition in the courts, and must develop the principles of the law, as well as the mind of the student who gives himself to its study.

## IRVING'S LIFE.

CHARLES DUDLEY WARNER.

[Mr. Warner's address being copyrighted by Messrs. Harper & Brothers, the editor is unable to give the paper entire in THE GRADUATION SOUVENIR. Instead is given the following synopsis of the same taken from the *Standard Union* of Brooklyn, N. Y.]

At Association Hall, Bond and Fulton streets, last night, before a large audience, Charles Dudley Warner delivered an address on Washington Irving, the occasion being the 110th anniversary of the birth of the "Father of American Literature." During the address Mr. Warner described the customs, manners and social life in vogue by which Irving was surrounded in his boyhood days. He also touched upon the sanitary, sewerage and water supply of New York City at that period. Mr. Warner said that in 1784 the fashionable society of New York consisted of a clique of about 300, and although not quite so exclusive as the Philadelphia set, New Yorkers consoled themselves with a higher rate of living. New York was much the smaller city. Although there were 300 in the exclusive set in New York in 1784, it had, Mr. Warner said, taken over 100 years to raise that number to 400, which would serve to give an idea of the exclusiveness of New York's present "400." In those days board ranged from \$4 to \$7 a week, and this included in the bill of fare the dispensation of four different kinds of liquor. Washington Irving came to New York in 1783, and at that time the only literary men in the city were Capt. J. J. Fenno, a sort of rover of those times; Samuel Low, a bank clerk; and William Dunlap, a playwright and dramatist, who managed the theatrical productions of those days. Literary work evidently did not pay very well, for it is recorded that Noah Webster sold the exclusive right to a New York publisher to print his spelling book in the States for the sum of \$200. Newspaper work evidently prospered, for in 1807 there

were nineteen papers in New York City, of which eight were dailies. The more prominent of these were the "Evening Post," edited by Alexander Hamilton; the "American Citizen," by De Witt Clinton; and the "Morning Chronicle," by Aaron Burr. It was in the "Chronicle" that Irving first exercised his literary talents. Large theatre hats were just as loudly condemned then as now. The comforts and conveniences of travel were described by Mr. Warner, in a humorous way. Irving tried both business and law. He finally settled upon a literary life; but under rather adverse circumstances, for the society of the day could not be called literary. Irving's father was a Scotchman, from Orkney; his mother was the daughter of an English curate. Why Irving did not attend Columbia College, as did two of his brothers, cannot be explained. He obtained his education from private schools in New York. His first literary production, that caused extended comment, was his papers signed "Jonathan Oldstyle," a satire on the social life of the day, which he wrote after a two-years sojourn in southern Europe. He spent much of his time roaming about the country, with his gun over his shoulder, and, although he never did much execution with the gun, he did gain much in his observance of nature. It was on one of these journeys that he met "Rip Van Winkle." Irving preferred to write in short sketches rather than in novels and longer literary productions. This style originated with him, and has had many imitators. Irving's "Knickerbocker Papers" were entirely a work of fiction, but so well and pleasingly told that they have been taken for history; and it is to-day almost impossible to controvert this peculiar mistake. Irving, like all writers of humorous strain, felt that he must put some grave work before the public, and, as a result, his "Life of Columbus" appeared, which brought him a degree at Oxford, and many medals and honors, and to-day, although much has been discovered, and many libraries written on Columbus, Irving's stands the best.

After giving a personal description of Irving, furnished by a close friend of the famous writer, Mr. Warner entered into a general account of his various works.

The lecturer accounted for Irving's bachelorhood by the death of a sweetheart in his younger days.

After speaking of Irving's financial income, the address was closed with the statement that his works were read more extensively now than for some time past.

## CORYDON L. FORD, M. D., LL.D.

MISS CORA LANE STONER.

The oldest professor in years of service in the U. of M. is Dr. Corydon L. Ford. Of good old Puritan parentage, he was born in Green County, New York, August 29, 1813. His father was a farmer, but the young man diligently gave himself to study, and at seventeen began his life work of teaching others. "As a schoolmaster he soon developed that clearness of statement, terseness of expression, enthusiasm in his work, and close sympathy with the students which have made his lectures veritable revelations to many who were searching for knowledge." For some few years he was compelled to divide his time between attending school, reading medicine and teaching school. At the old Canandaigua Academy, still open to students, he received a good foundation in the classics; and in 1842 the degree of M. D. was conferred on him by the Geneva Medical College. He had been a favorite with Dr. James Webster, a celebrated teacher of anatomy at that time, and on the the day of his graduation he was appointed demonstrator of anatomy. In 1846 a new medical college was organized in Buffalo, and Dr. Ford received a similar appointment there, beginning his work there early in 1847, and continuing at Geneva for a time. In 1849 he was called to the chair of Anatomy and Physiology in the then flourishing medical school at Castleton, Vermont, and continued his work there until the departure of both professors and students, for the war closed the school.

In 1854 Dr. Ford was called to the chair of Anatomy in the University of Michigan, and here he has lectured during the fall and winter for thirty-nine consecutive years. At the same time he continued lecturing in other schools during the spring and summer months; at Castleton till 1861; in the Berkshire Medical College at Pittsfield, Mass., from 1860-1867; in Bowdoin College from 1864-1870; and in Long Island College Hospital, Brooklyn, from

1868-1886. After closing his work at Bowdoin he spent several months in Europe, as the continuous work had told seriously on his health.

At Pittsfield in 1865 he was married to the widow of Nathaniel Messer—the daughter of Ichabod Chapman—and the union was one of heart, soul, and sympathy. “Mrs. Ford was most thoroughly and conscientiously devoted to his work,” and it could truthfully be said that “if she had not taken such good care of Dr. Ford he would have been in Heaven long ago.” On the 2nd of May, 1893, after a brief illness, she was taken to an eternal home, leaving an inexpressible grief in the hearts of those who loved her most.

A year ago Dr. Ford tendered his resignation to Dr. Angell, but at the unanimous request of the Medical Faculty he withdrew it, and may perhaps continue to give lectures as long as his strength will permit.

“There is certainly no other professor in a medical school in the country who has given instruction to so many students ; and it can also be said that no other teacher has more universally won the respect, confidence and love of his students. Thousands have sat at his feet, have seen him clothe dry bones with interest, convert the shriveled muscles into volumes of information, and cause the dead to teach the living how to live ; and among these thousands there is probably not one who would not pronounce him the most successful living teacher of anatomy.”

## RELATION OF MODERN -ISMS TO PROGRESS.\*

BY L. G. LONG.

[Linley Grant Long was born near Quaker City, Ohio, July 17th, 1868. He is the second son of a family of four children. His parents are of German-English extraction, and both are hardy children of the soil. Mr. Long lived on the farm till his eighteenth year when he entered the Ohio Normal University at Ada, Ohio. Having spent one year here, he returned home to teach a term of school. This he accomplished with brilliant success. Having determined on a college education, he entered the Ohio Wesleyan University at Delaware, Ohio. Here he remained three years, and in the fall of '91 entered the sophomore class of the University of Michigan, where he expects to remain till graduation.]



Man ever aspires to rise above his present level. Consciously or unconsciously he moves onward and upward. With or without clearly defined methods, he labors to diminish human misery and increase human happiness. The past has seen his plans poorly developed. Present philosophy has a clearer conception of life's problems, and better theories for their solution. The present social discontent has produced various theories of social reconstruction. Prominent among these are Nihilism, Anarchism, Communism, and Socialism. These four are alike, in that they spring from a common cause and are means aimed at a common end.

To understand the relation of modern -isms to progress, it is necessary to understand what constitutes progress now. The word progress is ambiguous. To crown a king may be progress to-day; to dethrone him may be progress to-morrow. To foster monopoly may have been progress yesterday; to muzzle monopoly may be progress to-day. Hence, a clear conception of present social conditions is necessary to a perfect understanding of the relation of modern -isms to progress.

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\* By permission, from "Thirty Prize Orations," compiled and published by Milton Johnson, Ann Arbor, Mich.



We live in the present, but for the future. To forecast the future, we must understand the present ; to understand the present, we must know the past. Let us turn to history and learn her secret. She teaches us that man loves liberty and hates oppression. Though hated, oppression has been the great fact in history. Its insidiousness catches man in the snare of his own instincts. Being religious, he is religiously oppressed. Being political, political burdens are heaped upon him. Being industrial, the chains of industrial slavery are forged.

Let us consider these three. Religion is the noblest instinct of the soul. It is the divine in man reaching out after God. It lifts the savage from savagery ; it breaks the chains of slavery ; it opens the prison cell. It calms the angry waves of passion that roll in the human breast. Religion is the beneficent mother of faith, hope, charity. Justice and mercy are her attributes, love her offspring, and God her father. Yet, man's noblest ambition has been most basely abused. The crystal stream of religion has been polluted by the dregs of human corruption.

Planted in the virgin soil of a true religion, the Christian Church grew to enormous dimensions. Under the shadow of its branches slept an entire continent. Its first fruits were fruits of truth and righteousness. Its degenerate old age reaped a harvest of corruption. From stem and every branch breathed forth a foul contagion that poisoned the very air in which it lived. But behold, shivered by the thunderbolts of the Reformation, this giant Upas-tree withers and falls ; and from its rotting stump spring the new branches, Protestant and new Catholic, which blossom and bear the fruits of a true religion. This marks the downfall of religious despotism.

Man lives not to himself alone. His social nature forbids it. Against individuality is opposed society. If society would realize its highest possibilities, it must be organized, directed ; hence the state, the government. Without government, society would be chaos. Government anchors society to a rational purpose. It supplies the conditions under which the social plant may germinate, flower, and fructify. It guides the latent energies of a nation into channels of highest good. Around each humble subject it throws the mantle of protection.

The essence of government is an undoubted good. The form has been the riddle of the ages. Monarchy, Aristocracy, Tyranny, Plutocracy, Despotism,—all have been weighed in the balance and found wanting. Yet, government is indispensable. Whether government shall or shall not exist, the common sense of humanity has settled. The question is : Whence the power that propels the governmental machine? Is it from the throne or from the hearthstone? History says it has been from the throne, shall be from the hearthstone. Caesar is dead. Hapsburg and Bourbon have fallen. Their spirit still survives. Clad in imperial garb, it sits to-day on the Russian throne. Freedom bathed her hands in royal blood and stained the Bourbon lily. It remains for her to throttle the Russian bear. Political tyranny is not dead. Political freedom is but a half-truth.

Industry is the mainspring to civilization. War may batter down the barriers between petty states and weld them into a nation. Religion may proclaim the brotherhood of man, and teach that all men should live together in harmony. Industry brings men face to face, and binds them together with cords of mutual interest. Industry has its roots in human wants. These generate the power that drives the industrial machine. The waving harvest, the buzzing spindle, the flaming furnace, are but the servants of man's wants. The thundering train bearing its costly burden, the stately vessel plowing the mighty deep, are driven by the magnetic power of human wants.

We stand at the confluence of all the industrial forces of the past. This is an Augustan age of industry. Art, literature, philosophy, politics, religion, are secondary to the one all-pervading, all-consuming idea—industry. Science has lent a helping hand in rearing this colossal structure. Every great age boasts of its great products. What are the boasts of the present age?—millionaire,—tramp. The sixteenth century saw religious despotism. The eighteenth century saw political despotism. The nineteenth century sees industrial despotism. And to-day the sultan Capital sits on the industrial throne.

The many have ever been servants to the few. Since his first bondage, man has longed for freedom. Listen to the mummified

millions buried in the sands of Egypt. "Man's inhumanity to man makes countless thousands mourn." Harken to the sad notes of the Greek slave. Under the shadow of the loftiest mountain surges the deepest sea. Under the shadow of Plato's genius surges the deepest misery. What can the Roman slave say of Roman splendor? "To be a Roman was greater than a king;" but not to be a Roman was worse than a beast. Listen to the wail rising from the forgotten grave of the German serf. Princes, priests, and plutocrats have been the plunderers of the poor. Above the din of Industry hear the voice of Labor. "The paupers in the palace rob their toiling fellow-men."

Religious despotism is dead. Political despotism still lives. Industrial despotism is at its best. With crying humanity on one hand, and gloating despotism on the other, what, I would ask, is progress to-day? If it be not battering down the bulwarks of despotism, and setting prostrate humanity on its feet, what is it? If it be this, then the relation of modern -isms to progress can be expressed in one sentence. Each is a thrust at modern tyranny.

Nihilism, Anarchism, Communism, and Socialism, have a single origin. They spring from a deepseated discontent with present social conditions. They have swept the keys of the social gamut, and found nothing but discord. Touched by the magic fingers of this new philosophy, these jarring notes are to be transformed into strains of sweetest harmony. Shattered by one fell blow, the pillars of modern society must crumble, and be replaced by columns of a nobler form. The ideals of modern -isms may be a dream, but their existence illustrates an important fact. It proves that those who for centuries have been ground under the heel of tyranny are able to stand and strike. It is a good omen. It is the harbinger of a better day.

Nihilism is a shaft aimed at the breast of absolutism. Its philosophy is expressed in one word—destruction. What would it destroy? All is vanity: all must be destroyed. Whatever is, is wrong, and must perish. Friendship, love, family, state, church, God, are false, therefore must perish. Whence, you ask, is this dagger-pointed philosophy? It is a compound of despair and dread; the product of German pessimism and Russian tyranny.

Anarchism is the arch-enemy of government. Yet, much of the fear generated by that word is uncalled for. Extract the Nihilistic poison from Anarchy, and you have an example of faith in humanity unparalleled. Its philosophy soars on optimistic wings to heights where degraded humanity can never hope to climb. What is this little-understood, much-abused philosophy? Its major premise is : government is the root of all evil. Its minor : human nature is essentially good. From these premises the anarchist draws the conclusion, that government is unnecessary ; and that man, restrained by no law save the law of his own being, will rise to the fullest realization of all the possibilities of his nature. This unbounded optimism of anarchy is its worst fault. It fails to treat humanity as it is.

Communism would cure social ills by applying religion. The communistic motto unlocks the entire system. "From each according to his ability, to each according to his needs." In communism the social unit is the group. Here everything is held in common. All labor, all share the product. Social equality, moral rigidity, industrial frugality, and passive obedience to the general will, are the main features of communism. Communism would destroy the family, crush personal liberty, strangle industry, and endanger nationality.

Nihilism and anarchism are essentially political. Communism is half-religious, half-industrial. Socialism is purely industrial. Socialism is the cold-blooded murder of individualism. It is continental philosophy aiming the death blow at English philosophy ; Karl Marx crossing swords with John Stuart Mill. Appalled by the wreck and ruin wrought by unbridled competition, socialism would overturn the entire competitive system. Socialists are not the enemies of rich men. But they despise an industrial system which builds mountains of wealth beside the hovels of abject poverty. What, then, is the socialistic programme? "The complete transformation of private and competing capitals into a united and collective capital." The strict logical sequence of this proposition is almost beyond conception. The present gigantic industrial fabric, built up by the brains of centuries, is to be swept away by the the mountain wave of socialism. How is this enormous revolution to be accomplished? By making the state complete owner and

controller of all the means of production. Though making industry supreme, socialism destroys the strongest motive to industrial activity—self-interest. Striving to secure industrial liberty, it forges the chains of industrial slavery. To curb the excesses of an irresponsible individualism, it builds a paternal despotism.

As a model for the reconstruction of society, modern -isms are a failure. As a force in the movement of progress, they are a success. The value of modern -isms lies in the fact that they are all extremes. Nihilism and anarchism are the opposite extreme of political despotism. Communism and socialism are the other extreme of industrial individualism. Having these extremes, it is possible to strike the happy mean. The political mean is liberal, constitutional monarchy, or republican form of government. The industrial mean is a wise and equitable adjustment of the relations between the individual and the state, in all matters of industry. The state has its province, the individual his. What touches all, let the state control. What peculiarly concerns the individual, let him control. Along these lines the two great industrial problems of to-day must be solved,—Monopoly, Labor Problem. Monopoly is a tumor which pains all, and must be lanced by the instrument of all—government. The Labor question is a question of liberty, and must be solved like all questions of liberty—by those oppressed. Who rung religious freedom from the hands of a tyrannical hierarchy? The religiously oppressed. Who buried the Bourbon throne under the ruins of a French empire? The politically oppressed. Who shall drag sable despotism from the industrial throne and set white-robed liberty there? The industrially oppressed. When religious, political, and industrial freedom shall be a truth, then will modern -isms have fulfilled their mission; then will the joyful tongues of untold millions welcome the rising sun of a new day; then will man stand up and say, Liberty is mine.

## CHRONICLE.

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GEO. WESLEY HARRIS.

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If there be not wasted too much time in looking backward it is often a profitable thing to cast a retrospect upon recent periods of the life of persons and institutions. Let us then in a few moments take a backward glance over the year now closing at the University of Michigan. Let us try to learn whether during the year our University has done more than keep up a mere existence, whether she has made progress.

A bare chronicle of the happenings of the year would fill many pages. But which of these occurrences have been of worth and benefit to the University?

Doubtless of first importance in the history of the year has been the working of the newly established Graduate School in connection with the Department of Literature, Science, and the Arts. Founded late in June, 1892, the Graduate School has had a satisfactory year with sixty-five students in attendance; and its prospects for the future are exceedingly bright.

Of scarcely lesser importance to the University this year has been the friendliness of the State Legislature. In January the Regents besought the legislature to increase the rate of the "Mill tax" for the maintenance of the University. There was held long and vigorous discussion of the scheme, and on February 10th both houses of the legislature accompanied by the governor and other invited guests visited the University. They met with a warm reception at the hands of the faculties and students, and spent two days in looking over the University and the city and in trying to find out what the institution's needs really were. Back in the State halls at Lansing some days later the legislature did loyally what was asked of it and enacted the "One-sixth of a Mill Bill." This bill secures to the University from its source an income of \$188,000 on the pres-

ent tax duplicate. This together with the \$38,500 accruing from the congressional endowment fund, and \$130,000 income from the tuitions and fees (making a total of \$356,500) will probably cover amply all ordinary expenditures, and do away with the old nuisance of special appropriations for current expenses. Farther, the basis of state taxation changes once in five years, increasing at an average rate of about twenty per cent., which four years hence will add \$43,000 to the University's income from the Mill bill.

This year the course in the medical school has been lengthened from three to four years, and the requirements for admission have been increased. Yet the attendance has been larger than ever in the new class, and it seems to be fair to conclude that the idea of a thorough medical education is popular.

The Students' Lecture Association has enjoyed a successful year, and provided for its patrons lectures and entertainments by Col. Robert G. Ingersoll, Eduard Remenyi, violinist; the Rev. E. G. Hirsch, the Rev. Lyman Abbott, Prof. John Fiske, the Hon. Henry Watterson, the Hon. T. B. Reed, the Hon. W. L. Wilson, James Whitcomb Riley, and Marshall P. Wilder.

The University Musical Society also has served many good things to large audiences. During the year concerts have been given under its superintendence by the Boston Symphony orchestra, Anton Seidl's orchestra, Theodore Thomas' orchestra, the Choral Union chorus and orchestra (two concerts, Handel's Messiah and a program from Wagner,) Constantin Steinberg and Miss Marguarite Hall and Max Heinrich and J. Erich Schmall.

On the part of the students this year there has been an increased interest in the art of public speaking. In the first inter-university debate between the Universities of Michigan and Wisconsin, held in March, the University of Michigan won with the affirmative of the question: Resolved that the United States should adopt the Policy of subsidizing the Mercantile Marine. The Northern Oratorical League, representing the Universities of Michigan, Minnesota, Wisconsin, Iowa, North-western and Oberlin College, held its yearly contest at Oberlin in May. Michigan's representative, Mr. L. G. Long, '94 Lit. won first place.

In athletics the University has not stood still. The exterior of

the Waterman Gymnasium has been finished and the building is nearly ready for the furniture and apparatus. The football team last fall played twelve games winning seven. In base ball this spring the University nine won from Albion, Kentucky State University, Centre College, University of Illinois (two games) Perdue, Detroit Athletic club, Dennison, Northwestern (two games) Iowa college, University of Wisconsin (two games;) and lost to Cornell (two games) Detroit Athletic club and University of Minnesota. In the inter-collegiate contest of track and field sports held at Chicago June 3rd Michigan won first place over the Universities of Minnesota, Wisconsin and Northwestern.

For the Students' Christian Association the year has been one of unusual prosperity. The Association has gained 116 new members, and, because of the increase of its work it has been found necessary to employ a full salaried secretary. Several courses of valuable lectures have been given by professors of the University under the auspices of the Association, and the complete series has been collected and made into an attractive book. On February 18, the Association celebrated its thirty-fifth anniversary by holding a mass meeting in University Hall, at which Mrs. Alice Freeman Palmer gave the address.

Ten University Extension courses have been given in the course of the year by five different professors, each course comprising six lectures.

March 18 to 28, under the auspices of the Women's League Prof. Lucy M. Salmon, of Vassar college, delivered at the University a valuable course of lectures on "Domestic Service."

A University Press club was organized in December with about fifty members. It has provided several addresses and discussions of interest besides bringing into relations of fellowship the many journalistic workers in the University.

In January, Prof. A. A. Stagg, of the University of Chicago, visited Ann Arbor and delivered his lecture on "The Modern Athlete."

President Low, of Columbia college spoke before the Political Science club in February on the subject of Municipal reform.

In March the Hon. W. R. Castle, one of the Hawaiian Commis-



sioners to the United States, spoke in University Hall on "The Hawaiian Islands and Annexation."

The attendance in all departments of the University for the year has been 2,778 students.

It is hoped that this chronicle may be of use in indicating that the University of Michigan during the year of 1892-93 has made noteworthy advancement along some lines. Greater things are hoped for in 1893-94. The completion of the Gymnasium is practically assured, and plans are being prepared for new administration and recitation buildings. The Graduate School ought to meet with wholesome growth and development; and if the legislature will pass a bill to provide for the erection of the Women's gymnasium, the year 1893-'94 can not fail of being one of best in the history of the University of Michigan.

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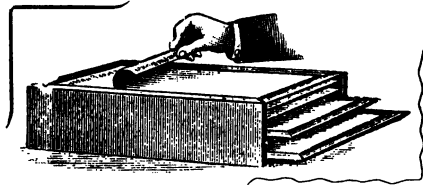
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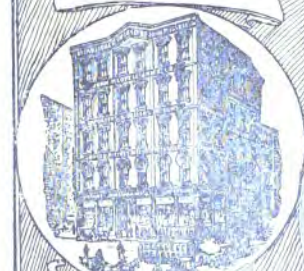
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